Extra Ordinary Part - IV / 1998

Extra No.	Date	Department
Extra No.1	15-01-1998	Agriculture, Farmers Welfare & Co-operation Department
Extra No.2	21-01-1998	Finance Department
Extra No.3	30-03-1998	Legislative & Parliamentary Affairs Department
Extra No.4	30-03-1998	Legislative & Parliamentary Affairs Department
Extra No.5	30-03-1998	Legislative & Parliamentary Affairs Department
Extra No.6	30-03-1998	Legislative & Parliamentary Affairs Department
Extra No.7	27-04-1998	Panchayats, Rural Housing & Rural Development Department
Extra No.8	13-07-1998	Legislative & Parliamentary Affairs Department
Extra No.9	13-07-1998	Legislative & Parliamentary Affairs Department
Extra No.10	31-07-1998	Legislative & Parliamentary Affairs Department
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Extra No.22	31-07-1998	Panchayats, Rural Housing & Rural Development Department
Extra No.23	31-07-1998	Legislative & Parliamentary Affairs Department

REGISTERED NO. G/GNR/2

Extra No. 1

©

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] THURSDAY, JANUARY 15, 1998/PAUSA 25, 1919

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

AGRICULTURE AND CO-OPERATION DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 15th January, 1998.

GUJARAT ORDINANCE NO. 1 OF 1998.

AN ORDINANCE

to establish and incorporate a University for the development of Veterinary and Animal Science including Dairy Science, Fisheries and allied sciences in the State of Gujarat.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to establish and incorporate a University for the development of veterinary, animal science including dairy science, fisheries and allied sciences in the State;

NOW, THEREFORE, in exercise of the powers conferred on him by clause *(1)* of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :—

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CHAPTER I

PRILIMINARY

1. *Short title, extent and commencement.*— *(1)* This Ordinance may be called the Gujarat Veterinary and Animal Science University Ordinance, 1998.

(2) It extends to the whole of the State of Gujarat.

(3) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint; and different dates may be appointed for different provisions and any reference in any such provision to the date of the commencement of this Ordinance shall be construed as the reference to the date of coming into force of that provision.

2. *Definitions.*—In this Ordinance, unless the context otherwise requires,—

(1) "Ordinance" means the Gujarat Veterinary and Animal Science University Ordinance, 1998; Guj. Ord. 1 of 1998.

(2) "Authority" means any authority of the University as specified in section 9;

(3) "Board" means Board of Management of the University constituted under section 10;

(4) "college" means a constituent college of the University under the direct control and management of the Board whether located at the Headquarter, Campus or elsewhere;

(5) "extension education" means the educational activities concerned with the training of owners of animals, farmers and personnel of dairy industry for improved animal husbandry practices related to health, production and marketing of animal, including the work through meetings, demonstrations and other methods for teaching improved animal husbandry practices and the training of workers required for the conduct of such educational activities;

(6) "prescribed" means prescribed by the Statutes;

(7) "registered graduate" means a graduate registered under this Ordinance;

(8) "regulations" means the regulations made under this Ordinance;

(9) "Statutes" means the statutes made under this Ordinance;

(10) "student" means the student of the University and includes any person enrolled in the University for taking a course of study for a degree, diploma or other academic distinction;

(11) "teacher" means a person appointed or recognised as such by the University for the purpose of imparting instructions, guiding or

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conducting research or extension education programmes, and includes such other person as may be declared to be teacher by the Statute;

(12) "University" means the Gujarat Veterinary and Animal Science University constituted under section 3;

(13) "Veterinary and Animal Science" means the basic and applied Veterinary Sciences including dairy, poultry, fishery, and animal husbandry and production and processing technology and marketing relating thereto.

CHAPTER II

THE UNIVERSITY

3. *Incorporation of the University.—(1)* There shall be established and constituted in and for the State of Gujarat a University by the name of the Gujarat Veterinary and Animal Science University.

(2) The University shall consist of a Chancellor, a Vice-Chancellor, a Board of Management, an Academic Council and other authorities and officers as set forth in this Ordinance or as provided in the Statutes.

(3) The University shall be a body corporate having perpetual succession and a common seal, and may sue and be sued in the said name.

(4) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable and immovable property which may vest in or be acquired by it for the purposes of the University, to borrow money, to raise loans on the securities of its assets and to contract and do all other things necessary for the purposes of this Ordinance :

Provided that the power to raise any such loan shall be exercised after obtaining previous permission of the State Government.

(5)(a) The headquarters of the University shall be at Gandhinagar.

(b) The University may also establish, maintain or recognise other institutions at such places as it may decide.

4. *Jurisdiction.—(1)* The University shall, in exercise of its powers, have jurisdiction over the whole of the State of Gujarat.

(2) The University may establish and maintain veterinary, animal husbandry, dairy, poultry and fishery, training, educational centres and research and experimental stations, and undertake the programme of training to field or extension workers through such centres as may be required.

(3) All colleges, research and experimental stations and other institutions under the jurisdiction and authority of the University shall be constituent

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units of the University under the management and control of the University officers and authorities and such units shall not be recognised as an affiliated unit.

(4) The University may collaborate in research projects having multi-disciplinary approach and academic programmes with Animal Husbandry Department, other Universities or institutions.

5. *Objects of University.*—The objects of the University shall be as follows, namely :—

(1) imparting education in veterinary, animal husbandry, dairy, fisheries and allied sciences;

(2) making the advancement of learning and conducting of research in veterinary, animal husbandry, dairy, fisheries and allied sciences;

(3) undertaking the extension education through appropriate media in veterinary, animal husbandry, dairy, fisheries and allied sciences;

(4) making provision for the study of basic science with a view to support other professional studies and thereby integrating such studies in the University curricular;

(5) undertaking the integration of teaching, research and extension education in veterinary and animal science;

(6) conferring such degrees, diplomas, certificates and other academic distinctions as the University may deem fit;

(7) such other purposes, not inconsistent with the provisions of this Ordinance, which the State Government may, on application made by the University, by notification in the *Official Gazette*, specify in this behalf.

6. *University open to all irrespective of sex, religion, class, caste, creed etc.*—*(1)* No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, caste, class, place of birth, religious belief or profession and political or other opinion.

(2) Nothing in sub-section *(1)* shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of person belonging to the Scheduled Castes or Scheduled Tribes, in accordance with the directives, if any, given from time to time by the State Government :

Provided that nothing in this section shall require the University to admit to any course of study, students larger in number than, or with academic or other qualifications lower than those prescribed.

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(3) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or profession and political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any of the privilege of the University or any benefaction thereof.

7. *Powers and functions of University.*—Subject to such conditions as may be prescribed by or under the provisions of this Ordinance, the University shall have the powers and shall perform functions as follows, namely :—

(1) to provide for education and instructions for undergraduate and postgraduate in veterinary and animal science and other allied branches of learning,

(2) to provide for conduct of research in veterinary and animal science and allied branches of learning,

(3) to provide for dissemination of the findings of research and technical information through an extension education programme,

(4)(a) to lay down courses of instruction for the various examinations;

(b) to hold examinations and to confer degrees, diplomas and other academic distinctions on persons who—

(i) have persued the course of studies in the University or part courses in any other University or recognised institutions, or

(ii) have carried out research in the University or part research in any other University or recognised institutions.

(5) to confer honorary degrees, diplomas and other academic distinctions as may be prescribed,

(6) to withdraw or cancel any degree, diploma and the academic distinctions conferred or granted by the University in the manner as may be prescribed,

(7) to provide for training to field workers, village leaders and other persons not enrolled as regular students of the University and to grant certificates to them as may be prescribed,

(8) to collaborate with other Universities, and institutions in such manner and for such purposes as the University may determine,

(9) to establish and maintain colleges, schools, centres, Departments and Intitutions relating to veterinary science, animal husbandry, dairying, fisheries and allied sciences,

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(10) to establish and maintain laboratories, libraries, research,, stations, institutions and museums for teaching, research and extension education,

(11) to create post for teaching, research and extension education, administrative, ministerial and other purposes and to make appointment thereto,

(12) to institute and award fellowship, scholarships, stipends, medals, prizes and other awards,

(13) to establish, maintain and manage hostels and residential accommodations for staff of the University,

(14) to fix, demand, receive and recover such fees and other charges, as may be prescribed,

(15) to co-ordinate, supervise, regulate and control the residence, conduct and discipline of the students of the University, and to make arrangements for promoting their health and welfare,

(16) to make special provision for veterinary and animal science, research and extension education in relation to arid areas and areas prone to scarcity in the State of Gujarat,

(17) to institute and manage bureau of information and of employment for the benefit of students of the University,

(18) to make provision for physical and military training for students and for sports clubs for the benefit of the students and the staff of the University,

(19) to make arrangement for training for competitive examinations for recruitment to services under the Departments of Union and State Governments, and

(20) to do all such other acts and things whether incidental to the powers aforesaid or not, as may be required in furtherance of the object of the University,

(21) to associate or admit educational institution with, or to the privileges of the University by way of affiliation, recognition or approval,

(22) to withdraw or modify either in whole or in part, affiliation, recognition or approval of education institutions,

(23) to inspect colleges, recognised institutions and approved institutions and to take measures to ensure that proper standards of instruction, teaching and training are maintained in them and that adequate library and laboratory provisions are made therein,

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(24) to lay down and regulate the salary scales, allowances, and other conditions of service of the members of the teaching other academic and non-teaching staff of the University,

(25) to provide for the recognition of student's Unions or associations of teachers, academic staff or other employees of the University, affiliated colleges and recognised institutions,

(26) to hold and manage trusts and endowments.

8. *Inspection and inquiry.—(1)* The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, hostels, laboratories, libraries, museums, workshops and equipment of any constituent unit of the University and to cause an inquiry to be made in the like manner in respect of any matter connected with the University.

(2) The Chancellor shall in every case, give notice to the University of his intention to cause an inspection or inquiry and the University shall be entitled to be represented thereat;

(3) The Chancellor shall communicate his views to the University with reference to the result of such inspection or inquiry, and may after ascertaining the opinion thereon of the University, advise the University upon the action to be taken and fix a time limit for taking such action.

(4) The University shall, within the time limit so fixed, report to the Chancellor or the action taken by it or is proposed to be taken on the advice tendered by the Chancellor.

(5) Where the University does not take action to the satisfaction of the Chancellor within the time limit fixed, the Chancellor may, after considering any explanation furnished or representation made by the University, issue such directions as he thinks fit and the University shall comply with such directions.

(6) The State Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner prescribed in sub-sections *(1)* to *(3)* and shall have, for the purposes of such inspection or inquiry, all the powers of the Chancellor under the said sub-sections.

(7) Notwithstanding anything contained in the above sub-sections, if at any time the Chancellor is of the opinion that in any manner, the affairs of the University are not managed in furtherance of the objects of the University, or in accordance with the provisions of this Ordinance, and the regulations or the special measures desirable to maintain the standards of the University teaching, examination, research or extension education, he may indicate to the University any matter in regard to which he desires an explanation, and call upon the University to offer such explanations, within such time as may be specified by him, if the University fails to offer any explanation within the time specified or offers, an explanation which, in the opinion of the Chancellor is not satisfactory,

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he may issue such directions as he thinks fit and may exercise such powers as may be necessary, for giving effect to these directions.

(8). The University shall furnish such information relating to the administration and finances of the University as the Chancellor may from time to time require.

CHAPTER III

AUTHORITIES OF THE UNIVERSITY

9. *Authorities of University*.—The following shall be the Authorities of the University, namely :—

(1) The Board of Management.

(2) The Academic Council.

(3) The Faculties.

(4) Research Council.

(5) Extension Education Council.

(6) The Board of Studies of each Faculty including Board of Post-graduate Studies.

(7) The Finance Committee, and

(8) Such other bodies of the University as may be declared by the Statutes to be the authorities of the University.

10. *Board of Management and its Constitution* .—(1) The Chancellor shall, as soon as may be after the first Vice-Chancellor is appointed, take action to constitute the Board of Management.

(2) The Board of Management shall consist of following members, namely :—

Class I *Ex-Officio* Members

(*i*) The Vice-Chancellor, Chairman.

(*ii*) The Secretary to Government, in-charge of Animal Husbandry, or his representative not below the rank of the Deputy Secretary to Government.

(*iii*) The Secretary to Government, Finance Department or his representative not below the rank of the Deputy Secretary to Government.

(*iv*) The Vice-chancellor of the Gujarat Agricultural University.

(*v*) The Director of Agriculture.

(*vi*) The Director of Animal Husbandry.

(*vii*) The Commissioner of Fisheries.

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(*viii*) representative of the Indian Council of Agricultural Research.

(*ix*) representative of the executive body of Gujarat Veterinary Council.

Class II Ordinary Members

(*x*) Two progressive livestock farmers.

(*xi*) One representative of dairy industry.

(*xii*) One eminent educationist.

(*xiii*) Two eminent scientists from the field of Veterinary and Animal Sciences.

(*3*) The Vice-Chancellor shall be the ex-officio Chairman of the Board.

(*4*) The Registrar shall be the Secretary of the Board but he shall not be a memben thereof.

(*5*) The term of the members referred to in clauses (x)to (xiii) shall be of three years and they shall be nominated by the State Government.

(*6*) The members of the Board shall not be entitled to receive any remuneration from the University except such daily and travelling allowances as may be prescribed.

(*7*) The Board for the purpose of consultation may invite any person having experience or special knowledge on any subject under consideration to attend its meeting .Such person may speak or otherwise take part in the proceedings of such meeting but shall not be entitled to vote. Any person invited shall be entitled to such allowances for attending the meeting as may be prescribed.

(*8*) The Board shall meet at such times and places as fixed by the Vice-Chancellor and shall hold regular meetings as far as possible once in every three months :

Provided that Vice-Chancellor may whenever thinks fit, convene a special meeting of the Board.

(*9*) The Board shall conduct the meeting and transact its business in such manner as may be prescribed.

11. *Powers and functions of Board* .—(1) Subject to the provisions of this Ordinance and the Statutes, the Board shall be the chief executive body of the University and shall manage and supervise the properties and activities of the University and shall be responsible for the conduct of all administrative affairs of the University not otherwise provided for in this Ordinance.

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(2) Without prejudice to the generality of the foregoing powers, the Board shall exercise the powers and perform the functions as follows, namely :—

(*a*) to consider and review the financial requirements and estimates for the University and approve its budget;

(*b*) to approve the recommendations for appointment of officers, teachers and other staff of the University in the prescribed manner;

(*c*) to provide for the administration of any funds placed at the disposal of the University for the purposes intended;

(d) to arrange for the investment and withdrawal of funds of the University;

(*e*) to borrow money subject to prior permission of the State Government and to make suitable arrangements for its repayment;

(*f*) to provide for accepting, acquiring, holding and disposal of property on behalf of the University;

(*g*) to determine the form of, to provide for custody of, and to regulate the use of, the common seal of the University;

(*h*) to appoint such committees, either standing or temporary, as the Board may consider necessary, and specify the terms of reference thereof, subject to the provisions of this Ordinance and the Statutes;

(*i*) to determine and regulate policies relating to the University in accordance with this Ordinance and the Statutes;

(*j*) to make provisions for instruction, teaching and training in such branches of learning and courses of study as may be determined by the Academic Council within the purposes of this Ordinance, and for research and for the advancement and dissemination of knowledge;

(*k*) to approve recommendations for promoting post-graduate teaching, research and extension education;

(*l*) to provide for the establishment and maintenance of colleges, hostels, libraries,laboratories, experimental farms, research institutes and other facilities necessary for carrying out the purposes of this Ordinance;

(*m*) to make provision for instituting and conferring degrees, diplomas, and other academic distinctions;

(*n*) to provide for the institution, maintenance, and award of scholarships, fellowships, medals and prizes;

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(*o*) to accept on behalf of the University trusts, bequests, donations; and transfers of any movable or immovable property to the University;

(*p*) to enter into, vary, carry out and cancel contracts on behalf of the University in exercise of powers and performance of duties assigned to it by or under this Ordinance and the Statutes;

(*q*) to approve the annual accounts and the annual financial estimates of the University;

(*r*) to manage and regulate the finances, accounts and investments of the University;

(*s*) to make provision relating to the use of Gujarati, Hindi or English as the medium of instruction and examination;

(*t*) to make, amend or repeal the Statutes;

(*u*) to exercise such other powers and perform such other duties not inconsistent with this Ordinance or the Statutes as may be necessary for carrying out the purposes of this Ordinance;

(*v*) to consider and approve the recommendations of the Academic Council, Research Council and Extension Education Council.

12. *Academic Council.*—(*1*) The Academic Council shall be academic body of the University and shall consist of the following members, namely :—

(*i*) The Vice-Chancellor, *Ex-Officio* Chairman.

(*ii*) The Director of Animal Husbandry or his representative not below the rank of Joint Director.

(*iii*) The Director of Research.

(*iv*). The Director of Extension Education.

(*v*) The Deans of Faculties.

(*vi*) The Associate Deans.

(*vii*) The Director of Student Welfare.

(*viii*) The Librarian.

(*ix*) The Registrar as Member Secretary.

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(*x*) Four members from amongst the Heads of Departments, of which two members from the Faculty of Veterinary Science and one each from the Faculty of Dairy and Fishery, to be nominated by the Vice-Chancellor by rotation in the manner as may be prescribed.

(*2*) The Academic Council may Co-opt as members not more than three persons for such periods and in such manner as may be prescribed so as to secure adequate representation of different sectors of Veterinary and Animal Science.

(*3*) The term of office of the members of the Academic Council other than the *ex-officio* members and members referred in sub-section (*2*) shall be two years.

(*4*) The Academic Council shall conduct the meeting and transact its business in such manner as may be prescribed.

13. Powers and functions of the Academic Council.—(*1*) The Academic Council shall, have general control on teaching, examination and other educational programmes within the University, and shall be responsible for the maintainance of standards thereof.

(*2*) In particular and without prejudice to the generality of the foregoing power, the Academic Council shall exercise the powers and perform the functions as follows, namely :—

(*a*) to advise the Board on all academic matters including the control and management of libraries;

(*b*) to make recommendations for the institution of professorships, lecturerships or any other post of teaching including posts in research and extension education and in regard to the duties thereof;

(*c*) to formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching, research and extention education;

(*d*) to make regulations regarding the admission of students to the University and to determine the number of students to be admitted;

(*e*) to make regulations relating to the courses of study leading to degrees, diplomas, certificates and other academic distinctions;

(*f*) to make regulations relating to the conduct of examinations and to maintain and promote their standards;

(*g*) to make recommendations regarding post-graduate teaching research and extention education;

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(*h*) to make recommendations regarding the qualifications to be prescribed for the staff of teaching, research and extension education in the University; and

(*i*) to make regulations to determine curriculum;

(*j*) to make regulations relating to academic matters subject to the provisions of this Ordinance and the Statutes;

(*k*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions of this Ordinance.

14. *Research Council.*—(*1*) The Research Council shall consist of the following members, namely:—

(*i*) The Vice-Chancellor, Ex-Officio Chairman.

(*ii*) The Director of Animal Husbandry or his representative not below the rank of Joint Director.

(*iii*) The Commissioner of Fisheries or his representative not below the rank of Deputy Commissioner of Fisheries.

(*iv*) The Director of Research as member secretary.

(*v*) The Director of Extention Education.

(*vi*) The Deans of Faculties.

(*vii*) The Associate Deans.

(*viii*) One Professor or Head of Department from each college to be nominated by the Vice-Chancellor by rotation in the manner as may be prescribed.

(*ix*) Four members from amongst the Research Scientists, of which two members from the Faculty of Veterinary Science and one each from the Faculty of Dairy and Fishery, to be nominated by the Vice-Chancellor by rotation in the manner as may be prescribed.

(*x*) One eminent Scientist in the field of veterinary and allied sciences from outside the University to be nominated by the Vice- Chancellor.

(2) The term of members of the Research Council other than the ex-officio members shall be two years.

(3) The Research Council shall conduct its meeting and transact its business in such manner as may be prescribed.

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15. *Functions of Research Council.*—(*1*) The Research Council shall consider and make recommendations in respect of,—

(*a*) research programmes and projects undertaken or to be undertaken by the University units in the State in the field of Veterinary Science and Animal Husbandry and other allied Sciences with a view to promote effective co-ordination;

(b) fiscal and administrative facilities required for implementing research projects;

(*c*) orienting research to meet farmers' needs;

(d) integration of research, extension education and teaching and participation of research workers in teaching and extension education programme;

(*e*) any other matter pertaining to research programmes which may be referred to by the Vice-Chancellor or the Board or any other authority of the University.

16. *Extension Education Council.*—(*1*) The Extension Education Council shall consist of the following members, namely :—

(*i*) The Vice-Chancellor, *ex-officio* Chairman.

(*ii*) The Director of Animal Husbandry or his representative not below the rank of Joint Director.

(iii) The Commissioner of Fisheries or his representative.

(*iv*) The Director of Research.

(*v*) The Director of Extension Education as member secretary.

(*vi*) The Deans of Faculties.

(*vii*) The Associate Deans.

(*viii*) One Professor or Head of Department from each college to be nominated by the Vice-Chancellor by rotation in the manner as may be prescribed.

(*ix*) One eminent person in the field of Extension Education from outside the University to be nominated by the Vice-Chancellor.

(*x*) Two progressive farmers experienced in Animal Husbandry practicies to be nominated by the Vice-Chancellor.

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(2) The term of members of the Extension Education Council other than the *ex-officio* members shall be two years.

(3) The Extension Education Council shall conduct its meeting and transact its business in such manner as may be prescribed.

17. *Functions of Extension Education Council.*—(1) The Extension Education Council shall consider and make recommendations in respect of—

(a) the extension education programmes and projects of the University;

(b) co-ordination of Extension Education activities for improvement of Animal Husbandry and allied branches and for the development of rural communities;

(c) development of farmers' education and training and advisory Services, identification and resolution of field problems and transmission of information;

(d) methodology of extension education;

(e) integration of extension education with teaching research in the University and participation of teachers and research workers in extension education programmes;

(f) any other matter referred to it by the Vice-Chancellor, Board or any other authority of the University.

18. *Faculties.*—(1) The University shall have the faculties of Veterinary and Animal Science, Dairy, Fisheries and Post-graduate studies and such other faculties as may be prescribed.

(2) The faculties shall comprise of such departments, divisions and centres as may be prescribed. One department or centre may be established for more than one faculty.

(3) Each department shall have a Head of Department who shall be responsible to the Dean for the proper organisation and working of the department.

19. *Board of Studies.*—(1) Each faculty shall have a Board of Studies, the constitution of which shall be such as may be prescribed.

(2) Dean of the faculty shall be the chairman of the respective Board of Studies, and he shall be chosen in such manner and for such period as may be prescribed.

(3) The Board of Studies shall perform the following functions, namely :—

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(a) to propose to the faculty concerned, the courses of studies and curriculum in the subjects and for the programmes of instruction offered by the faculty, and to place the same before the Academic Council for consideration and approval,

(b) to review teaching programme and suggest improvement thereof,

(c) to perform such other functions as may be directed to the concerned faculty by the Vice-Chancellor or other authority.

20. *Constitution of Committees.*—Every authority of the University shall have power to appoint committees which may, unless and otherwise provided in this Ordinance or Statutes, consist of the members of the authority, and such other persons as it may deem fit.

21. *Vacating of office.*—(*1*) The Board may remove any person from membership of any authority or body of the University on the ground that his conduct is not befitting the office held by him, with the approval of the Chancellor :

Provided that prior approval of the Chancellor shall not be required where such a person has been convicted of an offence by court of law :

Provided further that no order for removal shall be passed against any member without giving him an opportunity of being heard.

(*2*) A person who is a member of any authority or body of the University as a representative of another body whether of the University or not then he shall cease to be a member of such authority or body if he ceases to be a member of that other body by which he was appointed, nominated or co-opted.

(*3*) Whenever any person becomes a member of any authority or body of the University by virtue of the office held by him, he shall cease to be a member of such authority or body if he ceases to hold such office.

(*4*) Any member, other than an *ex-officio* member of any authority or body of the University may resign his office by letter addressed to the Vice-Chancellor through the Registrar and such resignation shall take effect from the date on which the same is accepted by the authority competent to fill the vacancy or on the expiry of three months from the date of receipt of the letter by the Vice-Chancellor, whichever is earlier.

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CHAPTER IV

OFFICERS OF UNIVERSITY

22. *Officers of University.*—The following shall be the officers of the University, namely :—

(*i*) The Chancellor,
(*ii*) The Vice-Chancellor,
(*iii*) The Registrar,
(*iv*) The Director of Research and Dean Post-Graduate Studies,
(*v*) The Director of Extension Education,
(*vi*) The Director of Student Welfare,
(*vii*) The Comptroller,
(*viii*) The Director of Purchase and Properties,
(*ix*) The Deans of Faculties,
(*x*) The Librarian, and
(*xi*) Such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

23. *Chancellor.*—*(1)* The Governor of the State of Gujarat shall be the Chancellor of the University.

(2) The Chancellor shall be the head of the University and shall, when present, preside at any convocation of the University.

(3) The proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.

(4) The Chancellor shall have such other powers as may be conferred on him by this Ordinance or the Statutes.

24. *Vice-Chancellor.*—*(1)* The Vice-Chancellor shall be a whole-time officer of the University and shall be appointed by the Chancellor in consultation with the State Government from amongst three persons recommended under sub-section *(3)* by a Committee appointed for the purpose under sub-section *(2)*.

(2) (a) For the purposes of sub-section *(1)*, the Chancellor shall appoint a Committee which shall consist of the following members, namely :—

(*i*) Two members (not being persons connected with the University or with any affiliated college, recognised institution or approved institution) out of whom one shall be a person nominated in the manner prescribed by the Statutes by the Board of Management and the Academic Council jointly and the another shall be a person nominated in the manner prescribed by the Statutes by the Vice-Chancellors of all the Universities established by law in the State of Gujarat;

(*ii*) One member to be nominated by the Chancellor;

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(*iii*) One member to be nominated by the President of the Indian Council of Agricultural Research.

(*b*) The Chancellor shall appoint one of the four members of the Committee as its Chairman,

(*3*) The Committee so appointed shall, within such time and in such manner as may be prescribed by the Statutes, select three persons whom it considers fit for being appointed as Vice-Chancellor and shall recommend to the Chancellor the names of the persons so selected together with such other particulars as may be prescribed by the Statutes.

(*4*) The Vice-Chancellor shall hold office for a term of three years or until he attains the age of 65 years, whichever is earlier and be eligible for reappointment to that office for one additional term of three years.

(*5*) The emoluments and other terms and conditions of service of the Vice-Chancellor, shall be such as may be determined by the State Government and shall not be varied to his disadvantage after his appointment, without his consent.

(*6*)(*a*) The Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office.

(*b*) The resignation shall be delivered ordinarily at least thirty days prior to the date on which the Vice-Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier and the resignation shall take effect from the date of relief.

(*7*) During the leave or absence of the Vice-Chancellor or in the event of a permanant vacancy in the office of the Vice-Chancellor until an appointment is made under sub-section (*1*) to that office, Director of Research and Dean of Post Graduate Studies nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor.

25. *Powers and duties of Vice-Chancellor.*—(*1*) The Vice-Chancellor shall be the chief executive and academic officer of the University and *ex-officio* chairman of the Board, Academic Council and other authorities. He shall, in the absence of the Chancellor, preside at the convocation of the University. He shall be entitled to be present with the right to speak at any meeting of any other authority or body of the University, but shall not be entitled to vote thereat unless he is a member of that authority or body.

(*2*) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(*3*) The Vice-Chancellor shall have power to convene meetings of the Board, Academic Council, Research Council and Extension Education Council.

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(4) The Vice-Chancellor shall ensure the faithful observance of the provisions of the Ordinance and the Statutes and Regulations, and he shall possess all powers necessary for this purpose.

(5) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and the annual accounts and balance sheet of the University to the Board.

(6)(a) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in ordinary course dealt with the matter. If the officers, authority or as the case may be body, disagrees with the action of the Vice-Chancellor, the matter shall be referred to the Chancellor whose decision thereon shall be final;

(b) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University, such person shall be entitled to prefer an appeal through the said officer, authority or body to the Board within one month from the date on which such action is communicated to him;

(c) If the Vice-Chancellor is satisfied that a decision of the Board is not in the best interest of the University, he shall refer it to the Chancellor whose decision thereon shall be final.

(7) Subject to the provisions of the preceding sub-sections, the Vice-Chancellor shall give effect to the decisions or orders of the Board.

(8)(a) Subject to the provisions contained in sub-section (6) and notwithstanding anything contained in sub-section (7), where the Vice-Chancellor after making such inquiry as may be deemed fit is of the opinion that the execution of any order or resolution of an authority specified in or declared under section 9 or the doing of anything which is about to be done or is being done by or on behalf of the University,—

(i) is inconsistent with the provisions of this Ordinance or of any Statutes, or Regulations, or

(ii) is not in the interest of the University, or

(iii) is likely to lead to breach of peace,

he may forward a copy of the order or resolution or, as the case may be, refer the doing of the thing, with a statement of reasons, to the authority which made the order or passed the resolution or proposes to do the thing for reconsideration by that authority as to whether the said order or resolution may not be rescinded, or revised or modified in the manner stated by him or the doing of the thing be refrained from;

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(b) Where the authority after reconsideration revises or modifies the order or the resolution in the manner stated by the Vice-Chancellor, then notwithstanding anything contained in clause (a) such revised or modified order or resolution shall revive from the date of such revision or modification;

(c) Where the authority revises or modifies the order or resolution in such manner as is inconsistent with the manner stated by the Vice-Chancellor, the Vice-Chancellor shall refer the matter to the Chancellor for his decision;

(d) The Chancellor may, on such reference being made, revise or modify the order or resolution or direct that the order or resolution shall continue to be in force with or without modification permanently or for such period as it may specify :

Provided that the order or resolution shall not be revised or modified or continued by the Chancellor without giving the concerned authority a reasonable opportunity of showing the cause against the order proposed to be made by him;.

(e) The order, resolution or, as the case may be, the doing of thing, shall remain in abeyance from the date of the action of the Vice-Chancellor of forwarding the copy of order or resolution or of making reference under clause (a) till the date of the order of the Chancellor under clause (d).

(9) The Vice-Chancellor shall be responsible for the proper administration of the affairs of the University and for a close co-ordination and integration of teaching, research and extension education.

(10) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed for carrying out the purposes and provisions of this Ordinance and the Statutes.

26. *Registrar.—(1)*The Registrar shall be a whole time salaried officer of the University and shall be appointed by the Board.

(2) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed.

(3) The Registrar shall be responsible for the due custody of the records and the common seal of the University. He shall be *ex-officio* Member Secretary to the Academic Council and shall be bound to place before it all such information as may be necessary for the transaction of its business. He shall receive applications for entrance to the University and shall keep a permanent record of all courses, curriculum and other information as may be necessary.

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(4) The Registrar shall also act as the Secretary of the Board of Management but he shall not be a member of the Board of Management.

(5) The Registrar shall be responsible for maintaining a permanent record of the academic performance of students of the University including the courses taken, grades obtained, degress and diplomas awarded, prizes or other distinctions won, and any other items pertinent to the academic performance of the students.

(6) The Registrar shall be responsible for establishment matter and general administration in the University as may be prescribed.

(7) The Registrar shall exercise such other powers and perform such other duties as may be prescribed or which may be assigned to him by the Board and the Vice-Chancellor.

27. *Director of Research and Dean of Post-Graduate Studies.—(1)* The Director of Research and Dean of Post-Graduate Studies shall be whole time salaried officer of the University and shall be appointed by the Board.

(2) The emoluments and other terms and conditions of service of the Director of Research and Dean of Post-Graduate Studies shall be such as may be prescribed.

(3) The Director of Research and Dean of Post Graduate studies shall perform the following functions, namely :—

(i) to co-ordinate Post Graduate Studies in college;

(ii) to supervise maintenance of records pertaining to Post-Graduate courses, instructions and studies;

(iii) to co-ordinate all research of the University in close co-operation with the Deans of faculties and other officer;

(iv) to supervise and ensure the efficient working of the research stations of the University;

(v) to exercise such other powers and perform such other duties as may be prescribed.

28. *Director of Extension Education.—(1)* The Director of Extension Education shall be a whole time salaried officer of the University and shall be appointed by the Board.

(2) The emoluments and other terms and conditions of service of the Director of Extension Education shall be such as may be prescribed.

(3) The Director of Extension Education shall be responsible for the co-ordination of all extension education programmes of the University in close co-operation with the Deans of faculties and other officers.

(4) The Director of Extension Education shall exercise such other powers and perform such other duties as may be prescribed.

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29. *Director of Student Welfare.*—*(1)* The Director of Student welfare, shall be a whole time salaried officer of the University and shall be appointed by the Board.

(2) The emoluments and other terms and conditions of service of the Director of Student Welfare shall be such as may be prescribed.

(3) The Director of Student welfare shall perform the following functions and duties, namely :—

(a) to make arrangements and supervise management of students, hostel, cafeteria and mess;

(b) to plan and organise students' extra-curricular activities such as sports, cultural and other recreational activities, national students service and other allied activities of the University;

(c) to plan and direct the programmes of students, advise and counselling and to enlist the co-operation of prospective employers and employment agencies to assist in the placement of graduates of the University and to promote discipline amongst the students of the University;

(d) to supervise and control medical and health services and other welfare measures in the University;

(e) to make arrangements for scholarship, stipends, part-time employment and travel facilities for the study tour of the students.

(f) to exercise such other powers and perform such other duties as may be prescribed.

30. *Comptroller.*—*(1)* The Comptroller shall be a whole-time salaried officer of the University and shall be appointed by the Board.

(2) The emoluments and other terms and conditions of service of the Comptroller shall be such as may be prescribed.

(3) The Comptroller shall manage the funds and the investments of the University and shall advise the University in regard to its financial policy.

(4) The Comptroller shall be responsible to the Vice-Chancellor in the preparation of the budget and statement of accounts of the University, and for ensuring that expenditures are made as authorised in the budget. He may disallow any expenditure which may contravene the terms of any Statute or for which provision is required to be made by the Statute but has not been made.

31. *Director of Purchase and Properties.*—*(1)* The Director of Purchase and Properties shall be appointed by the Board.

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(2) The emoluments and other terms and conditions of service of the Director of Purchase and Properties shall be such as may be prescribed.

(3) The Director of Purchase and Properties shall exercise the powers and perform the duties as follows, namely:—

(a) to arrange for the maintenace and construction of the buildings and other structures of the University;

(b) to arrange for the purchase and maintenance of machinery and other equipment necessary for the purposes of the University;

(c) to maintain the lawns, grounds and gardens of the University campuses;

(d) to be the general custodian of all properties of the University;

(e) to perform such other functions and such other duties as may be prescribed or as may be assigned to him by the Vice-Chancellor.

(4) The Director of Purchase and Properties shall, in the discharge of his duties, be responsible to the Vice- Chancellor.

32. *Deans of Faculties.— (1)* There shall be a Dean for each faculty of the University and shall be appointed in such manner as may be prescribed. The Director of Research shall be *ex-officio* the Dean of Post-Graduate faculty.

2(a) The Dean of a faculty shall be the Chairman of the Board of Studies of the Faculty and shall be responsible to the Vice-Chancellor for the faithful observance of the Statutes and Regulations relating to the faculty.

(b) For the organisation and conduct of the teaching and in carrying out his responsibilities for the organisation and conduct of these functions, he shall work in close liaison with other officers including the Director of Research and Director of Extension Education and shall generally work through the Heads of the Departments of the faculties.

(3) The Deans of faculties shall have such other duties and perform such other functions as may be necessary for the proper functioning of the work of their respective faculties as assigned by the Vice-Chancellor.

33. *Librarian.—(1)* The Librarian shall be appointed by the Board and shall be responsible to the Vice-Chancellor for all matters concerning the library and the purchase, cataloging and maintenance of books and journals and operation of the Library.

(2) The emoluments and other terms and conditions of service of the Librarian shall be such as may be prescribed.

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34. *Conditions of service of employees.*—Subject to the provisions of this Ordinance, the designation, qualification, method of recruitment, pay, allowances and other terms and conditions of service of the employees of the University and their powers and duties shall be such as may from time to time be determined by the Statutes.

CHAPTER V

STATUTES AND REGULATIONS

35. *Statutes.*—Subject to the provisions of this Ordinance, the Statutes may provide for all or any of the following matters, namely :—

(*a*) the constitution, powers and duties of the authorities of the University and the declaration of other bodies to be such authorities;

(*b*) the powers, functions, duties, manner of appointment and conditions of service of the officers of the University other than the Chancellor and the Vice-Chancellor;

(*c*) the designation, qualification, method of recruitment, pay, allowances, and other conditions of service of employees of the University and their powers and duties;

(*d*) the classification and manner of appointment of teachers and other non-teaching staff;

(*e*) the conferment and withdrawal of honorary degrees and academic distinctions;

(*f*) the establishment, amalgamation, sub-division and abolition of faculties;

(*g*) the establishment of departments in the faculties;

(*h*) the registration of graduates and maintenance of a register of registered graduates;

(*i*) the procedure of meeting of the Board of Management and the conduct of its business;

(*j*) the manner and the terms and conditions governing the pension, provident and insurance funds for the benefit of officers, teachers and other employees of the University;

(*k*) any matter which is to be or may be prescribed by the Statutes under this Ordinance.

36. *Regulations.*—(*1*) The authorities of the University may, subject to the approval of the Board of Management, make regulations consistent

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with this Ordinance and the Statutes for all or any of the following matters, namely :—

(*a*) laying down the procedure to be observed at their meetings and the conduct of their business;

(*b*) providing for the matters which by this Ordinance or the Statutes have to be provided by regulations;

(*c*) providing for all matters solely concerning such authorities or for matters for which provisions are, in the opinion of such authorities necessary for the exercise of their powers and performance of their duties under this Ordinance or the Statutes.

(*2*) The authority of the University shall make regulations providing for the giving of notice to the members of such authority of the date of meetings and of the business to be considered at meetings and for keeping of a record of the proceedings of the meetings.

(*3*) The Academic Council may, subject to the provisions of the Statutes, make regulations providing for courses of study, system of examinations and degrees and diplomas of the University, after receiving drafts of the same from the Board of Studies concerned.

(*4*) On reciept of the draft from the Board of Studies under sub-section (3), the Academic Council may either reject the draft or return it to the Board of Studies for further consideration, together with the suggestions of the Academic Council. The Academic Council shall be the final authority for the approval of such draft of regulations.

(*5*) The Board of Management may direct to carry out the amendments, in such manner as it may specify, of any regulation made by any authority under this section or the annulment of any regulation made under sub-section (1) by any authority of the University, provided that any such amendment or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that regulation.

(6) A regulation which involves expenditure from the University shall not take effect until it is approved by the Board of Management.

CHAPTER VI

RESIDENT INSTRUCTION, RESEARCH AND EXTENSION EDUCATION

37. *Resident Instruction.*—(*1*) Subject to provisions of this Ordinance, Resident Instruction in the University shall include Bachelor's degree, Master's degree and Doctorate degree programmes and short-term diploma courses in the disciplines of Veterinary Science, Animal Science, Dairy, Fishery and other allied sciences as may be prescribed.

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(2) Resident Instruction programmes may be based on modern system of Veterinary Education as suggested by the Veterinary Council of India with the objective of producing competent and practical oriented graduates and post-graduates to handle health, production, management, research, extension education and teaching work in the field of veterinary, dairy, fishery and allied branches.

38. *Transfer of Colleges, Units, etc.*—The existing colleges and teaching units along with the facilities and the budgets in the field of veterinary, animal science, dairy, fishery, post-graduate studies of the Gujarat Agricultural University and the Government shall be transferred to the University with effect from such date as the State Government may notify.

39. *Veterinary and Animal Science Research Organisation..*—(1) Subject to the provisions of this Ordinance and the Statutes, the University shall establish a Veterinary and Animal Science Research Organisation for doing research on problems relating to veterinary, animal husbandry, dairy, fishery and allied subjects for the purpose of aiding the development of animal husbandry and fishery and shall for this purpose establish veterinary, livestock and fishery research stations as may be necessary.

(2) The Veterinary and Animal Science Research Organisation shall be under the control and supervision of the Director of Research and Dean of Post-Graduate Studies.

40. *Veterinary and Animal Science Extension Education Organisation.*—(1) Subject to the provisions of this Ordinance and the Statutes, the University shall establish a Veterinary and Animal Science Extension Education Organisation which shall make available the information obtained on the basis of research to students, extension workers, livestock farmers, dairy industry personnel and fish farmers and shall conduct demonstration and training programme for the benefit of such persons.

(2) The University shall undertake veterinary and animal science extension education activities as follows, namely :—

(*a*) to inform and demonstrate to the livestock farmers, dairy industry personnel and fish farmers, the findings and developments of research on improved practices essential to uplift the conditions of the rural living;

(*b*) to increase animal production with special emphasis on food productions and utilisation; and

(*c*) to multiply the new breeds and improved strains evolved or introduced by the Veterinary and Animal Science Research Organisation.

(3) The Veterinary and Animal Science Extension Education Organisation shall be developed under the control and supervision of the Director of Extension Education.

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41. *Co-ordination of teaching, research and extension education.*—*(1)* The Vice-Chancellor shall be responsible for taking such steps as may be necessary for the co-ordination of teaching, research and extension education activities of the University.

(2) The Vice-Chancellor shall be responsible, working through the officers and employees of the University, for conditions being established whereby, there is a maximum feasible progress in the development of new information and technology in the natural, physical and social sciences related to animal husbandry and the transfer thereof to the teaching curriculum and to the educational programmes, thereby leading to their acceptance and adoption where applicable in practice throughout the State.

(3) The Vice-Chancellor shall be responsible, working through the officers and employees of the University, for an appropriate inter-relation of the different curricula and courses offered in the different faculties of the University, and for providing the students with the best course offerings and faculty contacts feasible within the resorces and talents of University.

(4) The University shall develop its programmes of research and extension education keeping in view the needs of the State and provide an appropriate technical assistance and consultative advice to State Government and Co-operative dairies engaged in Animal Husbandry development work.

CHAPTER VII

FUNDS AND ACCOUNTS

42. *General Fund.*—*(1)* The University shall establish a fund to be called the General Fund.

(2) The following shall form part of, or be paid into the General Fund, namely :—

(*a*) any contribution or grant by the Government or Indian Council of Agricultural Research.

(*b*) the income of the University from all sources including income from fees and charges and sale proceeds of farm products;

(*c*) bequest,donations, endownments and other grants etc., received by the University;

(d) any sum borrowed from the Banks with the previous permission of the State Government.

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(*3*) The General Fund shall be kept in the State Bank of India, or in any scheduled Bank as defined in the Reserve Bank of India Act,1934 or in a co-operative Bank approved by the State Government for the purpose, or be invested in securities authorised by the Indian Trusts Act,1882, or the Bombay Public Trusts Act, 1950. II of 1934. II of 1882. Bom.XXIX of 1950.

43. *Foundation Fund.*—(*1*) The University shall establish a fund to be called the Foundation Fund from the contributions and grants made by the Government for being credited to that fund and such other sums from the University which may be credited to the said Fund in accordance with the Statutes.

(2) The moneys in the Foundation Fund shall be invested in the Securities authorised by the Indian Trusts Act,1882 or the Bombay Public Trusts Act, 1950. II of 1882. Bom.XXIX of 1950.

44. *Pension, Provident Funds, etc.*—(*1*) The University shall constitute for the benefit of its officers, teachers and other employees in such manner and subject to such conditions as may be prescribed, pension, provident and insurance funds as it may deem fit.

(*2*) The State Government may declare that the provisions of the Provident Fund Act,1925 shall apply to the funds constituted under sub-section (*1*) as if they were Government provident funds. XIX of 1925.

45. *Provident fund to be deposited in Government treasury.*—(*1*) Where the University has established a Provident Fund for the benefit of its officers, teachers and other servants under section 44, such fund shall, notwithstanding anything contained in any law for the time being in force, be deposited in the State Government treasury in accordance with such direction as the State Government may, from time to time, by an order in writing give, and thereupon—

(i) the subscriber to the fund shall be entitled to interest on the balance in his provident fund account at the same rate at which the servant of the State Government is for the time being entitled to on the balance in his provident fund account, and

(ii) the rules for the time being in force relating to the limits of withdrawals from the provident fund as applicable to such Government servant shall, so far as may be, apply to the subscriber.

(2) Nothing in this section shall apply to a Provident Fund established by the University to which the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 applies. XIX of 1952.

46. *Grants.*—The State Government shall in each year after due appropriation made by the State Legislature by law in this behalf, make provision for making grants to the University, as follows :—

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(a) a grant of an amount not less than the estimated net expenditure on pay and allowances of the staff, contigencies, and service of the University.

(b) a grant to meet such additional items of expenditure, recurring and non-recurring as the State Government may deem necessary for the proper functioning of the University.

(c) the University shall utilize the amount received under section 42 for development works and which shall not be deducted from the grants to be allotted by the State Government.

47. *Finance Committee.*—There shall be a Finance Committee consisting of the following members, namely:—

(i) the Vice-Chancellor, *Ex-Officio* Chairman,

(ii) the Secretary to the Government of Gujarat, Finance Department,

(iii) the Secretary to the Government of Gujarat, Agriculture and Co-operation Department.

(iv) the Registrar,

(v) the Comptroller, *Ex-officio* Secretary,

(vi) One person to be selected by the Vice-Chancellor from amongst the non-official members of the Board of Management.

(2) The Finance Committee shall have powers and perform the functions as follows, namely :—

(a) to examine the annual accounts of the University and to advise the Board thereon;

(b) to examine the annual budget estimates;

(c) to make recommendations to the University on all proposals involving expenditure for which no provision has been made in the budget or which involves expenditure in excess of the amount provided in the budget ;

(*d*) to review the financial position of the University from time to time ; and

(*e*) generally to advise the Board on all financial matters.

(f) to make recommendation to the Board on all matters relating to finance of the University.

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48. *Accounts and Auditing.*—(*1*) The annual accounts of the University shall be prepared by the Comptroller, and all moneys accruing to or received by the University from whatever source and all amounts disbursed and paid by the University shall be entered in the accounts.

(*2*) The annual accounts and the balance sheet shall be submitted by the Vice-Chancellor to the State Government which shall cause an audit to be carried out by a chartered accountant or by an auditor appointed by the State Government in consultation with the Accountant General, Gujarat State. The accounts when audited shall be printed and copies there of together with the copies of the audit report shall be presented by the Vice-Chancellor to the Board and the Chancellor.

(*3*) The Board shall submit a copy of the Accounts to the State Government, which shall cause the same to be laid before the State Legislature.

49. *Annual Report.*—The annual report of the University shall be prepared under the direction of the Vice-Chancellor and shall be submitted to the Board at least one month before the annual meeting at which it is to be considered. The Board shall after considering the report, forward it to the State Government with such comments as may be deemed necessary and the State Government shall cause the report together with its comments to be laid before the State Legislature.

CHAPTER VIII

SUPPLEMENTARY PROVISIONS

50. *Contract of service.*—Save as otherwise provided by or under this Ordinance, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the officer or teacher concerned.

51. *Public servent.*—Every officer and employee of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Explanation.—For the purpose of this section, any person who is appointed by the University for a specified period or for a specified work of the University or who receives any remuneration by way of compensatory allowance or fees for any work done from the University Fund shall be deemed to be an officer or employee of the University while he is performing and in relation to all matters relatable to the performance of the duties and functions connected with such appointment or work.

52. *Residence of Students.*—Every student of the University shall reside in a hostel or other place maintained, recognised or approved by the University and under such conditions as may be prescribed.

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53. *Filling of casual vacancies.*—When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon as conveniently may be, by the nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been nominated, appointed or co-opted would have held it, if the vacancy had not occurred.

54. *Proceedings not invalidated by vacancies.*—No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

55. *Disputes as to constitution of University Authority or Body.*—Where any question arises as to—

(*1*) the interpretation of any provisions of this Ordinance or of any Statues or regulation, or

(*2*) whether a person has been duly appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority or other body of the University, or

(*3*) whether any decision of the University is in accordance with provisions of this Ordinance, Statutes or regulations,

(*a*) it may be referred to the State Government if it relates to a matter specified in clauses (1) and (3), and

(*b*) it shall be referred to the State Government —

(*i*) if it relates to a matter specified in clause (2) or
(*ii*) if not less than five members of the Board so required, and

the State Government shall after making such inquiry as it deems fit (including giving an opportunity of being heard where necessary) decide the question and its decision shall be final.

56. *Protection of acts and orders.*—All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers or other employees for anything done or purported to be done in pursuance of this Ordinance and the Statues and regulations framed thereunder.

57. *Transfer of certain Institutions and colleges to the University.*—(1) Notwithstanding anything contained in any other Act relating to the establishment of a University in the State or in the Statutes, Ordinances,

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Regulations, rules and orders made thereunder, the colleges, research stations,centres and other units specified in Schedule I appended to this Ordinance shall as from such date as the State Government may by notification in the Official Gazette, specify, (hereinafter in this section referred to as "the specified date"), be disaffiliated from the Gujarat Agricultural University to which they may have been affiliated on the day immediately preceding such date and shall be transferred to and be maintained by the University as its constituent colleges, research stations, centres or units etc.

(*2*) The control and management of the colleges, research stations, centres or other units specified in sub-section *(1)* shall as from the specified date stand transferred to the University and all properties and assets and liabilities of the State Government in relation thereto shall stand transferred to and vest in, or devolve upon, the University.

(*3*) Where before the specified date, the State Government has made any contract in relation to any of the said colleges, research stations, centres or other units, such contract shall be deemed to have been made by the University, and any reference therein to the State Government shall be construed as a reference to the University.

(*4*) Notwithstanding anything contained in this Ordinance or the Statutes and Regulations made thereunder, any student of a college specified in sub-section *(1)* who immediately before the specified date, was studying in any such college or was eligible for any examination of the University to which his college was affiliated before the date as aforesaid (hereinafter referred to as "the concerned University") shall be permitted to complete his course in preparation therefor, and the University shall make arrangements for the instruction, teaching, training and holding for such students' examinations for such period and in such manner as may be prescribed in accordance with the curricula of studies of the concerned University.

(*5*) All research and educational institutions under the control and management of the Departments of the State Government shall, as from such date as the State Government may by order specify, be transferred to the University; and thereupon all properties and assets, and liabilities of the State Government in relation to such institutions shall stand transferred to, vest in or devolve upon, the University.

(*6*) Notwithstanding anything contained in any other Act, the fields of veterinary, animal husbandry, dairy, and fishery which were under the control and management of the State Government immediately before the date specified under sub- section (*1*), or as the case may be, in sub-section (*5*), shall not, save with the previous sanction of the State Government, be discontinued by the University nor shall the educational, research or extension education activities conducted in or by the said college or institutions

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immediately before the said date be stopped or reduced in scope or extent or transferred without the prior permission of the Board of the University.

(7) Notwithstanding anything contained in any other Act relating to the establishment of any University in the State, no such University shall as from the specified date be competent to award any degrees, diplomas certificates or other academic distinctions in veterinary and animal husbandry, dairy, poultry, fishery, thereof by whatever name called.

58. *University to absorb staff of existing colleges and institutions transferred to it.*—(1) Notwithstanding anything contained in section 57, such of the existing staff serving in any of the colleges or institutions transferred or liable to be transferred to the University under section 57 or such other staff connected therewith, as the State Government may, from time to time, having regard to the necessity therefor, direct, shall be taken over and employed by the University, and every person taken over and employed shall be subject to the provisions of this Ordinance and the Statutes and Regulations made thereunder :

Provided that during the period of such employment all matters relating to the pay, leave, retirement, allowances, pension, provident fund and other conditions of service of the members of such staff shall be regulated by Bombay Civil Service Rules, 1959 or such other rules as may, from time to time, be made by the State Government :

Provided further that any such member shall have a right of appeal to the state Government against any order of reduction in rank, dismissal or removal from service or any other punishment.

(2) Subject to the provisions of sub-sections (3) and (4), all the officers and employees taken over and employed by the University under sub-section (1) shall have a lien on their posts in the service of the Gujarat Agricultural University or, as the case may be, the State Government, and the period of their service under that University or the State Government shall be counted for their increments, pension and other matters relating to their service.

(3) Notwithstanding anything contained in sub-section (1), every officer or employee of the Gujarat Agricultural University taken over by the University shall, within a period of two years, from the date he is so taken over (or such further time, if any, as the State Government may decide), give notice in writing to the Gujarat Agricultural University,—

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(a) that he should be permitted to retire and thereupon he shall be permitted to retire from the service of Gujarat Agricultural University and shall be entitled to such terminal benefits such as compensation, pension or gratuity, or the like, as may be prescribed by the Gujarat Agricultural University,

(b) that he should be permanently absorbed in the service of the University and thereupon the University shall absorb him permanently in its service and any service rendered by him under the Gujarat Agricultural University or under the State Government shall be deemed to be service under the University, and he shall be entitled to receive from the University such terms and conditions of service in respect of remuneration, leave and pension, and such rights as in respects of disciplinary matters or rights similar thereto as changed circumstances may permit as are not less favourable than those to which he was entitled to immediately before he was taken over by the University.

(*4*) If any officer or employee of the Gujarat Agricultural University fails to give notice under sub-section (*3*) within the time referred to therein, he shall be deemed to have opted to be permanently absorbed in the service of the University under clause(b) of sub-section (3).

(*5*) Notwithstanding anything contained in this section, in the case of any officer or employee of the Gujarat Agricultural University taken over by the University or the State Government, if in the opinion of the University, such officer or employee is not suitable or is surplus to its requirements, the University may move the Gujarat Agricultural University or the State Government within a period of two years from the date he was so taken over to repatriate the said officer or employee to the service of Gujarat Agricultural University or the State Government. Upon such request by the University the Gujarat Agricultural University or the State Government, as the case may be, shall take appropriate action in that behalf.

CHAPTER IX

TRANSITORY PROVISIONS

59. *Appointment of first Vice-Chancellor.*—Notwithstanding anything contined in this Ordinance, the present Vice-Chancellor of Gujarat Agricultural University shall act as Vice-Chancellor of the University for a period not exceeding one year on such terms and conditions as the State Government thinks fit.

60. *Transitory powers of first Vice-Chancellor.*—(*1*) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Academic Council and other authorities of the University, other than the Board of Management, within six months after the date of his appointment or such longer period not exceeding one year in the aggregate as the State Government may, by notification in the *Official Gazette*, direct.

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(*2*) The first Vice-Chancellor shall in consultation with the Government, make such regulations as may be necessary for the functioning of the University.

(*3*) The authorities constituted under sub-section (*1*) shall commence to exercise their functions on such date as the Chancellor may, by an order direct.

(*4*) It shall be the duty of the first Vice-Chancellor to make such Statutes and Regulations as may be necessary with the approval of the Chancellor and submit them to the respective authorities, competent to deal with them for their confirmation. Such Statutes and regulations when confirmed by the respective authority shall be published in the *Official Gazette*.

(*5*) Notwithstanding anything contained in this Ordinance and the Statutes and regulations, until such time an authority is duly constituted, the first Vice-Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and functions of such authority under this Ordinance, Statutes and Regulations.

61. *First appointment of the officers and teachers of the University.*—(*1*) At any time after the commencement of this Ordinance until such times as the authorities of the University shall commence to exercise their functions,-

(*a*) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor.

(*b*) teachers of the University may be appointed by the Chancellor after considering the recommendations of the Vice-Chancellor.

(*2*) Any appointment made under sub-section (*1*) shall be for such period not exceeding three years and on such conditions as the appointing authority thinks fit :

Provided that no such appointment shall be made until financial provision has been made therefor.

62. *Extraordinary powers of the first Vice-Chancellor.*—The Vice-Chancellor appointed under section 59 shall have powers until the Board of Management commences to exercise its functions,—

(*a*) with the previous approval of the Chancellor, to make additional Statutes to provide for any matter not provided for by the first Statutes;

(*b*) to constitute provisional authorities and bodies and on their recommendations to make rules providing for the conduct of the work of the University;

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(c) subject to the control of the State Government to make such financial arrangement as may be necessary for bringing into force this Ordinance or any part thereof;

(d) with the sanction of the Chancellor, to make for a period not exceeding three years, such appointments as may be necessary for bringing into force this Ordinance or any part thereof;

(e) to appoint any committee as he may think fit, to discharge such of his functions as he may direct; and

(f)generally to exercise all or any of the powers conferred on the Board of Management by or under the provisions of this Ordinance.

63. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Ordinance, as appear to be necessary or expedient for removing the difficulty :

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Ordinace.

64. *Amendment of certain sections of Guj. 13 of 1969.*—The provisions of the Gujarat Agricultural University Act, 1969 specified in column (2) of the Schedule II appended to this Ordinance shall be amended in the manner and to the extent specified therein. Guj. 13 of 1969.

SCHEDULE I

(See section 57)

1. The Gujarat College of Veterinary Science and Animal Husbadry, Anand.
2. The Gujarat College of Veterinary Science and Animal Husbadry, Sardarkrushinagar.
3. Dairy Science College, Anand.
4. College of Fisheries, Veraval.
5. All research stations, units, training centres, clinical complex, mobile clinics with the Gujarat Agricultural University, with all movable and inmovable assets belonging to the veterinary, animal husbadry, dairy, fishery and allied sciences including the lands, farms, official and residential buildings and such other assets.

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SCHEDULE II

(See section 64)

Title of the Act 1	Extent and manner of Amendment 2
The Gujarat Agricultural University Act, 1969 (Guj. 13 of 1969).	(1) In the long title, the words "including animal husbandry" shall be deleted. (2) In section 2, in sub-section (2), the words "animal husbandry including veterinary and dairy science, fisheries" shall be deleted. (3) In section 7, in sub-section (9), the words "fisheries, dairying, veterinary, medicine and animal science,"shall be deleted. (4) In section 25, in sub-section (2), under the heading "Class I *Ex-officio* Members", clause (7) shall be deleted. (5) In section 29, in sub-section (1), the words "veterinary and animal science" shall be deleted. (6) In section 33, in sub-section (3), the words "and Animal Husbandry" shall be deleted. (7) In section 39, in sub-section (a), the words "animal husbandry" shall be deleted. (8) In section 51, (a) in sub-section (5), the words "the Department of Animal Husbandry, the Fisheries Department" shall be deleted; (b) in sub-section (7), the words "Dairy Science and Veterinary Science" shall be deleted. (9) In the Schedule, the entries 4 and 5 shall be deleted.

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STATEMENT

The role of livestock has a vital effect on the economy of the State. As per the last census total livestock in the State is about one crore ninety-six lakhs which shows increase of 13 per cent. comparing to the preceding census. If the people are provided with scientific and extensive training and educated in the field of veterinary and animal science, the yield from animal husbandry and other occupations depending upon animal such as dairying, poultry would be more and consequently economy of the State would be strengthened. Nowadays the study on veterinary and animal science have become the need of the people engaged in the aforesaid occupations. It is, therefore, necessary to establish a special and separate University imparting education in the veterinary and animal science covering fisheries and other allied science in this regard. Consequantial amendments are also made in the Gujarat Agericultural University Act, 1969.

The main objectives and functions of the University are as follows:—

(i) Making provisions for imparting education, furthering the advancement of learning and conducting of research; undertaking the extension education through appropriate media in veterinary, animal husbandry, dairying, poultry, fishery and allied sciences,

(ii) Making provisions for the study of basic science with a view to support other professional studies and thereby integrating such studies in the University carricula.

(iii) Undertaking the integration of teaching, research and extensive education with a view to promote the productivity in veterinary and animal science.

As the Gujarat legislative Assembly is not in session, this Ordinance is promulgated to achieve the aforesaid objects.

Gandhinagar,
Dated the 13th January, 1998.

KRISHNA PAL SINGH,
Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

V. R. S. COWLAGI,
Principal Secretary to Government.

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

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REGISTERED NO. G/GNR/2

Extra No. 2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] WEDNESDAY, JANUARY 21, 1998/MAGHA 1, 1919

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

FINANCE DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 21st January, 1998.

GUJARAT ORDINANCE NO. 2 OF 1998.

AN ORDINANCE

to provide for temporary increase in the Contingency Fund of the State of Gujarat.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to provide for temporary increase in the Contingency Fund of the State of Gujarat;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :—

1. *Short title and commencement.—(1)* This Ordinance may be called the Gujarat Contingency Fund (Temporary Increase) Ordinance, 1998.

(2) It shall come into force at once.

Guj. IV of 1960.

2. *Temporary increase in Contingency Fund of the State.*—Notwithstanding anything contained in section 2 of the Gujarat Contingency Fund Act, 1960, the extent of the sum of two hundred crores of rupees specified in section 2 of the said Act as the sum to be paid into the Contingency Fund of the State of Gujarat shall, during the period beginning from the commencement of this Ordinance and ending on the 31st March, 1998, be raised to three hundred crores of rupees.

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STATEMENT

Section 2 of the Gujarat Contingency Fund Act, 1960, as amended by the Gujarat Contingency Fund (Amendment) (Third) Ordinance, 1997 provides that out of the Consolidated Fund of the State, a sum of two hundred crores of rupees shall be paid into the Contingency Fund of the State:

Subsequent to the raising the limit of the Fund by amendment made in section 2 by the said Ordinance, the balance in the Contingency Fund is found insufficient to meet with the requirements of the State on account of—

(i) Lok Sabha Election,

(ii) division of districts and talukas, and

(iii) liability arising out of the implementation of the Fifth Pay Commission's recommendations.

To meet with the aforesaid expenditure, it has become necessary to increase temporarily till the 31st March, 1998, the limit of the said Fund from two hundred crores of rupees to three hundred crores of rupees.

As the Gujarat Legislative Assembly is not in session, this Ordinance is promulgated to achieve the aforesaid object.

Gandhinagar,
Dated the 13th January, 1998.

KRISHNA PAL SINGH,
Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

K. V. BHANUJAN,
Additional Chief Secretary to Government.

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] MONDAY, MARCH 30, 1998 / CAITRA 9, 1920

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th March, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 1 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 30th March, 1998).

AN ACT

further to amend the Gujarat Contingency Fund Act, 1960.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title and commencement.

1. *(1)* This Act may be called the Gujarat Contingency Fund (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 3rd June, 1997.

Amendment of section 2 of Guj. IV of 1960.

Guj. IV of 1960.

2. In the Gujarat Contingency Fund Act, 1960 (hereinafter referred to as "the principal Act"), in section 2, for the words "fifty crores of rupees ", the words "two hundred crores of rupees " shall be substituted.

Repeal and savings.

Guj. Ord. 10 of 1997.

3. *(1)* The Gujarat Contingency Fund (Amendment) (Third) Ordinance, 1997 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

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PUBLISHED BY AUTHORITY

VOL. XXXIX] MONDAY, MARCH 30, 1998 / CAITRA 9, 1920

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Kum. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 2 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 30th March, 1998).

AN ACT

to provide for temporary increase in the Contingency Fund of the State of Gujarat.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title and commencement.

1. *(1)* This Act may be called the Gujarat Contingency Fund (Temporary Increase) Act, 1998.

(2) It shall be deemed to have come into force on the 21st January, 1998.

Guj. IV of 1960.

Temporary increase in Contingency Fund of the State.

2. Notwithstanding anything contained in section 2 of the Gujarat Contingency Fund Act, 1960, the extent of the sum of two hundred crores of rupees specified in section 2 of the said Act as the sum to be paid into the Contingency Fund of the State of Gujarat shall, during the period beginning from the commencement of this Act and ending on the 31st March, 1998, be raised to three hundred crores of rupees.

Guj. Ord. 2 of 1998.

Repeal.

3. The Gujarat Contingency Fund (Temporary Increase) Ordinance, 1998 is hereby repealed.

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] MONDAY, MARCH 30, 1998 / CAITRA 9, 1920

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PART - IV

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The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th March, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 3 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 30th March, 1998).

AN ACT

to authorise withdrawal of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of a part of the Financial Year ending on the thirty-first day of March, 1999.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Gujarat Appropriation (Vote on Account) Act, 1998. Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there may be withdrawn sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of five thousand two hundred eighty-four crores, six lakhs, twenty-nine thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1998-99. Withdrawal of Rs.52,84,06,29,000 from and out of the Consolidated Fund of the State of Gujarat for the financial year 1998-99.

3. The sums authorised to be withdrawn from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. Appropriation.

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THE SCHEDULE

(See sections 2 and 3)

No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
1	Agriculture and Co-operation Department	Revenue	1,34,08,000	—	1,34,08,000
2	Agriculture	Revenue	60,90,50,000	—	60,90,50,000
		Capital	23,33,000	—	23,33,000
3	Minor Irrigation, Soil Conservation and Area Development	Revenue	18,42,79,000	—	18,42,79,000
		Capital	50,20,000	—	50,20,000
4	Animal husbandry and Dairy Development	Revenue	17,15,32,000	—	17,15,32,000
		Capital	1,33,000	—	1,33,000
5	Co-operation	Revenue	9,96,21,000	—	9,96,21,000
		Capital	5,40,67,000	—	5,40,67,000
6	Other expenditure pertaining to Agriculture & Co-operation Department	Capital	1,00,55,000	—	1,00,55,000
7	Education Department	Revenue	75,42,000	—	75,42,000
8	Education	Revenue	7,82,73,40,000	24,09,84,000	8,06,83,24,000
		Capital	6,32,000	—	6,32,000
9	Other expenditure pertaining to Education Department	Revenue	83,07,000	—	83,07,000
		Capital	10,40,97,000	—	10,40,97,000
10	Energy and Petro-Chemicals Department	Revenue	28,53,000	—	28,53,000
11	Tax Collection Charges (Energy & Petro-Chem. Department)	Revenue	1,72,20,000	—	1,72,20,000
12	Energy Projects	Revenue	2,26,13,33,000	—	2,26,13,33,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
13	Other expenditure pertaining to Energy & Petro-Chemicals Department	Capital	3,82,000	—	3,82,000
14	Finance Department	Revenue	1,62,86,000	—	1,62,86,000
		Capital	2,53,000	—	2,53,000
15	Tax Collection Charges (Finance Department)	Revenue	16,23,35,000	—	16,23,35,000
16	Treasury & Accounts Administration	Revenue	10,86,25,000	—	10,86,25,000
17	Pension and Other Retirement Benefits	Revenue	2,01,94,57,000	1,34,000	2,01,95,91,000
18	Other expenditure pertaining to Finance Department	Revenue	4,12,98,16,000	—	4,12,98,16,000
		Capital	53,82,000	34,000	54,16,000
19	Repayment of debt pertaining to Finance Department and its servicing	Revenue	—	6,59,22,08,000	6,59,22,08,000
		Capital	—	2,78,70,88,000	2,78,70,88,000
20	Food, Civil Supplies and Consumer Affairs Department	Revenue	1,75,09,000	—	1,75,09,000
21	Civil Supplies	Revenue	29,90,58,000	—	29,90,58,000
		Capital	1,000	—	1,000
22	Food	Revenue	3,20,04,000	—	3,20,04,000
23	Other expenditure pertaining to Food, Civil Supplies and Consumer Affairs Department	Capital	36,77,000	—	36,77,000
24	Forest and Environment Department	Revenue	38,05,000	—	38,05,000
25	Forest	Revenue	26,80,69,000	—	26,80,69,000
		Capital	31,31,21,000	—	31,31,21,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
26	Environment	Revenue	1,86,67,000	—	1,86,67,000
27	Other expenditure pertaining to Forest and Environment Department	Capital	92,57,000	—	92,57,000
28	Governor	Revenue	—	55,98,000	55,98,000
29	Council of Ministers	Revenue	1,12,25,000	—	1,12,25,000
30	Elections	Revenue	2,84,01,000	—	2,84,01,000
31	Public Service Commission	Revenue	17,26,000	61,30,000	78,56,000
32	General Administration Department	Revenue	5,30,31,000	—	5,30,31,000
33	Economic Advice & Statistics	Revenue	2,27,53,000	—	2,27,53,000
34	Other expenditure pertaining to General Administration Department	Revenue	34,90,81,000	—	34,90,81,000
		Capital	44,10,000	—	44,10,000
35	State Legislature	Revenue	1,99,28,000	1,60,000	2,00,88,000
36	Loans & Advances to Government Servants in Gujarat Legislature Secretariat	Capital	4,12,000	—	4,12,000
37	Health and family Welfare Department	Revenue	1,16,84,000	—	1,16,84,000
38	Medical and Public Health	Revenue	1,70,59,02,000	—	1,70,59,02,000
39	Family Welfare	Revenue	32,68,06,000	—	32,68,06,000
40	Other expenditure pertaining to Health and Family Welfare Department	Revenue	23,19,51,000	—	23,19,51,000
		Capital	1,42,32,000	—	1,42,32,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
41	Home Department	Revenue	1,19,89,000	—	1,19,89,000
42	Police	Revenue	1,79,36,14,000	—	1,79,36,14,000
43	Jails	Revenue	7,23,34,000	—	7,23,34,000
44	Transport	Revenue	20,54,37,000	—	20,54,37,000
45	State Excise	Revenue	1,43,46,000	—	1,43,46,000
46	Other expenditure pertaining to Home Department	Revenue	14,63,86,000	66,000	14,64,52,000
		Capital	10,55,57,000	—	10,55,57,000
47	Industries & Mines Department	Revenue	63,98,000	—	63,98,000
48	Stationery and Printing	Revenue	12,11,88,000	—	12,11,88,000
49	Industries	Revenue	38,22,10,000	—	38,22,10,000
		Capital	53,83,000	—	53,83,000
50	Mines and Minerals	Revenue	3,92,93,000	—	3,92,93,000
51	Other expenditure pertaining to Industries and Mines Department	Revenue	1,73,000	—	1,73,000
		Capital	1,36,20,000	—	1,36,20,000
52	Information, Broadcasting and Tourisum Department	Revenue	19,23,000	—	19,23,000
53	Information and Publicity	Revenue	5,67,97,000	—	5,67,97,000
54	Tourism	Revenue	1,39,33,000	—	1,39,33,000
55	Other expenditure pertaining to Information, Broadcasting and Tourism Department	Revenue	1,41,50,000	—	1,41,50,000
		Capital	5,77,000	—	5,77,000
56	Labour and Employment Department	Revenue	42,23,000	—	42,23,000
57	Labour and Employment	Revenue	23,74,21,000	—	23,74,21,000
		Capital	10,000	—	10,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
58	Other expenditure pertaining to Labour and Employment Department	Capital	86,53,000	—	86,53,000
59	Legal Department	Revenue	62,18,000	—	62,18,000
60	Administration of Justice	Revenue	24,30,57,000	2,99,74,000	27,30,31,000
61	Other expenditure pertaining to Legal Department	Revenue	1,12,97,000	—	1,12,97,000
		Capital	1,15,33,000	—	1,15,33,000
62	Legislative and Parliamentary Affairs Department	Revenue	39,87,000	—	39,87,000
63	Other expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	2,70,000	—	2,70,000
64	Narmada, Water Resources and Water Supply Department	Revenue	1,15,92,000	—	1,15,92,000
65	Narmada Development Scheme	Capital	4,40,00,77,000	—	4,40,00,77,000
66	Irrigation and Soil Conservation	Revenue	80,71,17,000	—	80,71,17,000
		Capital	95,66,33,000	—	95,66,33,000
67	Water Supply	Revenue	37,74,84,000	—	37,74,84,000
		Capital	1,57,96,67,000	—	1,57,96,67,000
68	Other expenditure pertaining to Narmada Water resources and Water Supply Department	Revenue	33,000	—	33,000
		Capital	9,42,65,000	—	9,42,65,000
69	Panchayat Rural Housing and Rural Development Department	Revenue	78,25,000	—	78,25,000
70	Community Development	Revenue	41,21,98,000	—	41,21,98,000
71	Rural Housing and Development	Revenue	59,61,26,000	33,34,92,000	92,96,18,000
		Capital	83,33,000	—	83,33,000
72	Compensations and Assignments	Revenue	10,73,60,000	—	10,73,60,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
73	Other expenditure pertaining to Pachayats Rural Housing and Rural Development Housing Department	Revenue	7,82,46,000	—	7,82,46,000
		Capital	6,31,42,000	—	6,31,42,000
74	Fisheries	Revenue	7,01,84,000	—	7,01,84,000
		Capital	4,33,13,000	—	4,33,13,000
75	Other expenditure pertaining to Ports and fisheries Department	Revenue	21,00,000	—	21,00,000
		Capital	8,23,000	—	8,23,000
76	Revenue Department	Revenue	1,82,86,000	—	1,82,86,000
77	Tax Collection Charges (Revenue Department)	Revenue	14,64,70,000	—	14,64,70,000
78	District Administration	Revenue	17,53,04,000	—	17,53,04,000
79	Relief on Account of Natural Calamities	Revenue	1,05,80,67,000	—	1,05,80,67,000
80	Dang District	Revenue	5,00,11,000	—	5,00,11,000
81	Compensations and Assignments.	Revenue	5,75,67,000	5,75,000	5,81,42,000
		Capital	5,33,000	2,33,000	7,66,000
82	Other expenditure pertaining to Revenue Department	Revenue	16,04,000	—	16,04,000
		Capital	1,26,90,000	—	1,26,90,000
83	Roads and Buildings Department	Revenue	1,20,76,000	—	1,20,76,000
84	Non-Residential Buildings	Revenue	52,85,27,000	1,25,000	52,86,52,000
		Capital	19,51,56,000	—	19,51,56,000
85	Residential Buildings	Revenue	20,81,88,000	—	20,81,88,000
		Capital	6,59,06,000	—	6,59,06,000
86	Roads and Bridges	Revenue	1,14,19,50,000	—	1,14,19,50,000
		Capital	26,71,67,000	—	26,71,67,000
87	Gujarat Capital Construction Scheme	Revenue	1,99,50,000	—	1,99,50,000
		Capital	1,91,67,000	—	1,91,67,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
88	Other expenditure pertaining to Roads and Buildings Department	Revenue	3,22,71,000	—	3,22,71,000
		Capital	2,27,50,000	—	2,27,50,000
89	Social Welfare and Tribal Development Department	Revenue	63,50,000	—	63,50,000
90	Social Security and Welfare	Revenue	42,84,00,000	15,67,000	42,99,67,000
		Capital	75,98,000	—	75,98,000
91	Welfare of Scheduled Tribes	Revenue	12,88,85,000	—	12,88,85,000
		Capital	18,80,000	—	18,80,000
92	Other expenditure pertaining to Social Welfare and Tribal Development Department	Capital	40,35,000	—	40,35,000
93	Special Component Plan for Schedule Castes	Revenue	62,39,20,000	—	62,39,20,000
		Capital	3,32,97,000	—	3,32,97,000
94	Tribal Area Sub Plan	Revenue	1,61,22,20,000	—	1,61,22,20,000
		Capital	53,74,84,000	—	53,74,84,000
95	Urban Development and Urban Housing Department	Revenue	44,83,000	—	44,83,000
96	Urban Housing	Revenue	35,33,000	9,26,33,000	9,61,66,000
97	Urban Development	Revenue	27,26,60,000	—	27,26,60,000
		Capital	75,00,000	—	75,00,000
98	Compensations, Assignments and Tax Collection Charges	Revenue	14,17,67,000	10,00,34,000	24,18,01,000
99	Other expenditure pertaining to Urban Development and Urban Housing Department	Revenue	50,14,000	—	50,14,000
		Capital	4,85,000	—	4,85,000
100	Sports, Youth and Cultural Activities Department	Revenue	21,45,000	—	21,45,000
101	Youth Services and Cultural Activities	Revenue	7,70,08,000	—	7,70,08,000
102	Other expenditure pertaining to Sports Youth and Cultural Activities Department	Capital	7,27,000	—	7,27,000
	Total :	Revenue	33,65,38,99,000	7,40,36,80,000	41,05,75,79,000
		Capital	8,99,56,95,000	2,78,73,55,000	11,78,30,50,000
	Grand Total :		42,64,95,94,000	10,19,10,35,000	52,84,06,29,000

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Extra No. 6 REGISTERED NO. G/GNR/2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] MONDAY, MARCH 30, 1998 / CAITRA 9, 1920

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th March, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 4 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 30th March, 1998).

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1998.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Gujarat (Supplementary) Appropriation Act, 1998. Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of two thousand two hundred eighty-eight crores, fourteen lakhs, fifty-five thousand rupees towards defraying the several charges which will come in course of payment during the financial year ending on the thirty first day of March, 1998, in respect of the services and purposes specified in column 2 of the Schedule. Issue of Rs.22,88,14,55,000 from and out of the Consolidated Fund of the State of Gujarat for the financial year 1997-98.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. Appropriation

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THE SCHEDULE

(*See* sections 2 and 3)

No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
1	Agriculture and Co-operation Department	Revenue	1,84,000	—	1,84,000
2	Agriculture	Revenue	2,000	57,79,000	57,81,000
		Capital	10,65,00,000	—	10,65,00,000
3	Minor Irrigation, Soil Conservation and Area Development	Capital	3,08,000	—	3,08,000
4	Animal Husbandry and Dairy Development	Revenue	6,85,08,000	—	6,85,08,000
		Capital	10,39,50,000	—	10,39,50,000
5	Co-operation	Revenue	1,75,12,000	—	1,75,12,000
		Capital	10,26,86,000	—	10,26,86,000
6	Other expenditure pertaining to Agriculture and Co-operation Department	Capital	1,59,44,000	—	1,59,44,000
7	Education Department	Revenue	27,80,000	—	27,80,000
8	Education	Revenue	46,47,07,000	1,32,73,000	47,79,80,000
9	Other expenditure pertaining to Education Department	Revenue	83,59,000	—	83,59,000
		Capital	2,00,57,000	—	2,00,57,000
10	Energy and Petro-Chemicals Department	Revenue	6,20,000	—	6,20,000
12	Energy Projects	Revenue	763,05,12,000	16,000	763,05,28,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
13	Other expenditure pertaining to Energy & Petro-Chemicals Department	Revenue	6,00,000	—	6,00,000
14	Finance Department	Revenue	56,95,000	—	56,95,000
		Capital	60,000	—	60,000
15	Tax Collection Charges (Finance Department)	Revenue	4,72,67,000	—	4,72,67,000
16	Treasury & Accounts Administration	Revenue	1,99,63,000	—	1,99,63,000
17	Pension and other Retirement Benefits	Revenue	137,07,00,000	—	137,07,00,000
18	Other expenditure pertaining to Finance Department	Capital	263,20,47,000	1,33,70,000	264,54,17,000
19	Repayment of debt pertaining to Finance Department and its servicing	Revenue	—	53,04,04,000	53,04,04,000
		Capital	—	8,03,12,000	8,03,12,000
20	Food, Civil Supplies and Consumers Affairs Department	Revenue	37,50,000	—	37,50,000
21	Civil Supplies	Revenue	2,000	—	2,000
		Capital	3,50,00,000	—	3,50,00,000
22	Food	Revenue	67,25,000	—	67,25,000
23	Other expenditure pertaining to Food, Civil Supplies and Consumer Affairs Department	Capital	5,67,000	—	5,67,000
24	Forest and Environment Department	Revenue	15,80,000	—	15,80,000
25	Forests	Revenue	5,80,29,000	16,59,000	5,96,88,000
		Capital	50,00,000	—	50,00,000

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Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
28	Governor	Revenue	—	89,43,000	89,43,000
29	Council of Ministers	Revenue	22,00,000	—	22,00,000
30	Elections	Revenue	46,30,00,000	—	46,30,00,000
31	Public Service Commission	Revenue	—	18,74,000	18,74,000
32	General Administration Department	Revenue	1,87,66,000	1,000	1,87,67,000
33	Economic Advice & Statistics	Revenue	86,00,000	—	86,00,000
34	Other expenditure pertaining to General Administration Department	Revenue Capital	8,92,75,000 5,89,000	72,000 —	8,93,47,000 5,89,000
35	State Legislature	Revenue	2,75,000	50,000	3,25,000
36	Loans & Advances to Government Servants in Gujarat Legislature Secretariat	Capital	1,08,000	—	1,08,000
37	Health and Family Welfare Department	Revenue	13,85,000	—	13,85,000
38	Medical and Public Health	Revenue	28,66,95,000	1,03,000	28,67,98,000
39	Family Welfare	Revenue	6,31,00,000	2,07,000	6,33,07,000
40	Water Supply and Sanitation	Revenue Capital	56,71,95,000 1,000	— —	56,71,95,000 1,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
41	Other expenditure pertaining to Health and Family Welfare Department	Revenue	—	21,000	21,000
		Capital	1,54,08,000	—	1,54,08,000
42	Home Department	Revenue	92,12,000	11,000	92,23,000
43	Police	Revenue	89,02,54,000	5,80,000	89,08,34,000
44	Jails	Revenue	3,09,88,000	—	3,09,88,000
45	Transport	Revenue	3,81,36,000	—	3,81,36,000
46	Other expenditure pertaining to Home Department	Revenue	9,28,62,000	—	9,28,62,000
		Capital	61,00,000	—	61,00,000
47	Industries & Mines Department	Revenue	22,80,000	—	22,80,000
48	Stationery and Printing	Revenue	1,16,62,000	—	1,16,62,000
49	Industries	Revenue	5,52,33,000	4,62,000	5,56,95,000
		Capital	2,50,00,000	—	2,50,00,000
50	Mines and Minerals	Revenue	50,30,000	—	50,30,000
51	Other expenditure pertaining to Industries and Mines Department	Revenue	—	2,57,000	2,57,000
		Capital	80,70,000	—	80,70,000
52	Information, Broadcasting and Tourism Department	Revenue	5,78,000	—	5,78,000
54	Tourism	Revenue	49,51,000	—	49,51,000
55	Other expenditure pertaining to Information, Broadcasting and Tourism Department	Revenue	42,05,000	—	42,05,000
		Capital	3,50,000	—	3,50,000
56	Labour and Employment Department	Revenue	35,29,000	—	35,29,000

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ation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
57	Labour and Employment	Revenue	3,04,18,000	—	3,04,18,000
58	Other expenditure pertaining to Labour and Employment Department	Capital	41,44,000	—	41,44,000
59	Legal Department	Revenue	7,55,000	—	7,55,000
		Capital	15,00,000	—	15,00,000
60	Administration of Justice	Revenue	2,77,54,000	2,000	2,77,56,000
61	Other expenditure pertaining to Legal Department	Capital	49,45,000	—	49,45,000
62	Legislative and Parliamentary Affairs Department	Revenue	18,63,000	—	18,63,000
63	Other expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	1,07,000	—	1,07,000
64	Narmada, Water Resources and Water Supply Department	Revenue	72,25,000	—	72,25,000
65	Narmada Development Scheme	Capital	77,00,00,000	—	77,00,00,000
66	Irrigation and Soil Conservation	Revenue	16,25,82,000	7,19,000	16,33,01,000
		Capital	15,60,00,000	6,38,06,000	21,98,06,000
67	Other expenditure pertaining to Narmada, Water Resources and Water Supply Department	Revenue	1,15,000	10,08,67,000	10,09,82,000
		Capital	74,43,000	—	74,43,000
68	Panchayats, Rural Housing and Rural Development Department	Revenue	61,89,000	—	61,89,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
69	Community Development	Revenue	82,13,52,000	1,35,000	82,14,87,000
70	Rural Housing	Revenue	5,80,000	3,38,10,000	3,43,90,000
71	Compensation and Assignments	Revenue	5,67,83,000	—	5,67,83,000
72	Other expenditure pertaining to Pachayats Rural Housing and Rural Development Department	Revenue Capital	5,02,63,000 3,19,15,000	— —	5,02,63,000 3,19,15,000
73	Fisheries	Revenue Capital	1,12,43,000 20,00,000	2,13,000 —	1,14,56,000 20,00,000
74	Other expenditure pertaining to Ports and Fisheries Department	Revenue Capital	6,25,000 5,74,000	— —	6,25,000 5,74,000
75	Revenue Department	Revenue	10,20,49,000	—	10,20,49,000
76	Tax Collection Charges (Revenue Department)	Revenue	1,14,99,000	—	1,14,99,000
77	District Administration	Revenue	10,68,98,000	—	10,68,98,000
78	Relief on Account of Natural calamities	Revenue Capital	236,88,04,000 4,00,92,000	— —	236,88,04,000 4,00,92,000
80	Compensation and Assignments	Revenue Capital	4,97,08,000 —	24,60,000 13,91,000	5,21,68,000 13,91,000
81	Other expenditure pertaining to Revenue Department	Revenue Capital	23,24,000 35,17,000	— —	23,24,000 35,17,000
82	Roads and Buildings Department	Revenue	34,20,000	—	34,20,000
83	Non-Residential Buildings	Revenue Capital	10,41,35,000 9,000	10,16,000 —	10,51,51,000 9,000

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.e/ appro-priation	Services and purposes		Sums not exceeding Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
84	Residential Buildings	Revenue	2,10,000	28,000	2,38,000
85	Roads and Bridges	Revenue	21,79,25,000	58,69,000	22,37,94,000
		Capital	22,23,21,000	29,02,000	22,52,23,000
86	Gujarat Capital Construction Scheme	Revenue	84,10,000	—	84,10,000
		Capital	12,50,000	2,69,000	15,19,000
87	Other expenditure pertaining to Roads and Buildings Department	Revenue	55,00,000	1,92,06,000	2,47,06,000
		Capital	95,70,000	—	95,70,000
88	Social Welfare and Tribal Development Department	Revenue	10,90,000	—	10,90,000
89	State Excise	Revenue	37,60,000	—	37,60,000
90	Social Security and Welfare	Revenue	23,45,89,000	71,56,000	24,17,45,000
		Capital	91,10,000	—	91,10,000
91	Welfare of Scheduled Tribes	Revenue	29,50,000	—	29,50,000
92	Other expenditure pertaining to Social Welfare and Tribal Development Department	Capital	8,94,000	—	8,94,000
94	Tribal Area Sub Plan	Revenue	2,16,64,000	—	2,16,64,000
		Capital	9,73,90,000	24,82,000	9,98,72,000
95	Urban Development and Urban Housing Department	Revenue	10,45,000	—	10,45,000
96	Urban Housing	Revenue	7,00,00,000	2,47,97,000	9,47,97,000
97	Urban Development	Revenue	50,15,68,000	—	50,15,68,000
		Capital	4,94,89,000	—	4,94,89,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
98	Compensations, Assignments and Tax Collection Charges	Revenue	7,50,00,000	—	7,50,00,000
99	Other expenditure pertaining to Urban Development and Urban Housing Department	Capital	1,56,000	—	1,56,000
100	Sports, Youth and Cultural Activities Department	Revenue	23,38,000	—	23,38,000
101	Youth Services and Cultural Activities	Revenue	3,71,23,000	—	3,71,23,000
102	Other expenditure pertaining to Sports, Youth and Cultural Activities Department	Capital	1,00,000	—	1,00,000
	Total :	Revenue	1746,66,62,000	75,99,90,000	1822,66,52,000
		Capital	449,02,71,000	16,45,32,000	465,48,03,000
	Grand Total :		2195,69,33,000	92,45,22,000	2288,14,55,000

JV. EX. 6-3.

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

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Extra No. 7

REGISTERED NO. G/GNR/2

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] MONDAY, APRIL 27, 1998 / VAISAKHA 7, 1920.

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

PANCHAYATS, RURAL HOUSING AND RURAL DEVELOPMENT DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 27th April, 1998.

GUJARAT ORDINANCE NO. 3 OF 1998.

AN ORDINANCE

further to amend the Gujarat Panchayats Act, 1993.

Guj. Ord. 13 of 1997.

WHEREAS the Governor of Gujarat has promulgated the Gujarat Panchayats (Amendment) Ordinance, 1997 on the 20th December, 1997;

AND WHEREAS the session of the Gujarat Legislative Assembly was summoned to meet on the 19th March, 1998 and prorogued on the 27th March, 1998;

AND WHEREAS the said Ordinance could not be replaced by an Act of the State Legislature in that session;

AND WHEREAS the said Ordinance would cease to operate after the 29th April, 1998, the date on which the period of six weeks from the date of the re-assembly of the Gujarat Legislative Assembly expires;

AND WHEREAS it is expedient to continue the operation of the provisions of the said Ordinance by law;

AND WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

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AND WHEREAS the Governor of Gujarat is satisfied that the circumstances exist which render it necessary for him to take immediate action to amend the Gujarat Panchayats Act, 1993; Guj. 18 of 1993.

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely:—

1. *Short title and commencement.*— *(1)* This Ordinance may be called the Gujarat Panchayats (Amendment) Ordinance, 1998.

(2) It shall be deemed to have come into force on the 20th December, 1997.

2. *Guj. 18 of 1993 to be temporarily amended.*— During the period of operation of this Ordinance, the Gujarat Panchayats Act, 1993 (hereinafter referred to as "the principal Act") shall have effect subject to amendments specified in sections 3 and 4. Guj. 18 of 1993.

3. *Insertion of sections 278A and 278AA in Guj. 18 of 1993.*—In the principal Act, after section 278, the following sections shall be inserted, namely:—

Application of Act to Scheduled Areas of State.

"278A. This Act shall apply to the Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, subject to the modifications specified in Schedule IV.

Amendment of certain Acts in their application to Scheduled Areas of State.

278AA. The enactments specified in Schedule V shall, in their application to the Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, be amended to the extent specified in column 3 of the said Schedule."

4. *Insertion of new Schedules IV and V in Guj. 18 of 1993.*—In the principal Act, after Schedule III, the following Schedules shall be added, namely:—

"SCHEDULE IV

(*See* section 278A)

(Modifications subject to which this Act applies to the Scheduled Areas of the State.),

1. In section 2, after clause (19), the following clause shall be inserted, namely:—

"(19A) "Scheduled Areas" means the Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India ;".

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2. For section 4, the following section shall be substituted, namely :—

Gram Sabha.

"4 (*1*) There shall be a *gram sabha* for a village for performing such functions as are provided by or under this Act.

(*2*) The *gram sabha* shall consist of persons whose names are included in the list of voters of electoral divisions of that village.

(*3*) The *gram sabha* shall perform the following additional functions, namely:—

(a) The *gram sabha* shall endeavour to safeguard and preserve the traditions and customs of the inhabitants of the village, their cultural identity, community resources and the customary mode of dispute resolution.

(b) The *gram sabha* shall—

(*i*) approve the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the village panchayat;

(*ii*) be responsible for the identification or selection of persons as beneficiaries under poverty alleviation and other programmes in the village.".

3. In section 7, to sub-section *(1)*, the following proviso shall be added, namely:—

"Provided that while making a recommendation in respect of a local area in the Scheduled Areas it shall be ensured that the local area shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with the traditions and customs.".

4. In section 9, in sub-section *(5)*, in clause (a), after sub- clause *(i)*, the following sub-clause shall be inserted, namely:—

"(*ia*) In the case of a village panchayat, the whole local area of which comprises of any of the Scheduled Areas, the number of seats reserved for the Scheduled Tribes under sub-clause *(i)* shall be increased to such number as is not less than one-half of the total number of seats in the village panchayat.".

5. In section 10, in sub-section *(5)*, in clause *(a)*, after sub-clause *(i)*, the following sub-clause shall be inserted, namely:—

"(*ia*) In the case of a taluka panchayat, the whole local area of which comprises of any of the Scheduled Areas, the number of seats reserved for the Scheduled Tribes under clause *(i)* shall be increased to such number as is not less than one-half of the total number of seats in the taluka panchayat.".

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6. In section 11, in sub-section *(5)*, in claus *(a)*, after sub- clause *(i)*, the following sub-clause shall be inserted, namely:—

"*(ia)* In the case of a district panchayat, the whole local area of which comprises of any of the Scheduled Areas, the number of seats reserved for the Scheduled Tribes under clause *(i)* shall be increased to such number as is not less than one half of the total number of seats in the district panchayat.".

7. After section 11, the following section shall be inserted, namely:—

Nomination of members of Scheduled Tribes.

"11A. If for any reason an election does not result in the return of any member of Scheuled Tribes in a taluka panchayat or district panchayat, then the State Government may nominate from amongst members belonging to Scheduled Tribes who are qualified to be elected, such number of members as not to exceed one-tenth of the total members to be elected in that panchayat.".

8. In section 51, in sub-section (2),—

(1) for clause (a), the following shall be substituted, namely:—

"*(a)* All offices of sarpanch of village panchayats in the State shall be reserved by the State Government for the Scheduled Tribes.

Explanation.—For the purposes of this clause, "village panchayat" means the village panchayat, the whole local area of which comprises of the Scheduled Areas." ;

(2) in clause (b),—

(a) in sub-clause (i), the word "and " shall be deleted;

(b) sub-clause (ii) shall be deleted.

9. In section 63, in sub-section *(2)*, —

(i) for clause (a), thefollowing shall be substituted, namely:—

"(a) All offices of the President of the taluka panchayats in the State shall be reserved by the State Government for the Scheduled Tribes.

Explanation.—For the purposes of this clause, "taluka panchayat" means the taluka panchayat, the whole local area of which comprises of the Scheduled Areas.";

(2) in clause *(b)*, —

(a) in sub-clause *(i)*, the word "and " shall be deleted ;

(b) sub-clause (ii) shall be deleted.

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10. In section 77, in sub- section *(2)*,—

(*1*) for clause (*a*), the following shall be substituted, namely:—

"(*a*) All offices of the President of the district panchayats in the State shall be reserved by the State Government for the Scheduled Tribes.

Explanation.—For the purposes of this clause, "district panchayat" means the district panchayat, the whole local area of which comprises of the Scheduled Areas.".

(*2*) in clause (b), —

(a) in sub-clause (*i*), the word "and " shall be deleted ;

(b) sub-clause (ii) shall be deleted.

11. In section 108, after sub-section *(4)*, the following sub-section shall be added, namely:—

"(*5*) (*a*) For the purposes of this Act, there shall be vested in the village panchayat minor forest produce found (except found in the areas of National Parks or Sanctuaries) in such area of a forest as is situate in the jurisdiction of that village.

(*b*) The provisions of the Gujarat Minor Forest Produce Trade Nationalisation Act, 1979 shall continue to apply to the minor forest produce notwithstanding that the produce is vested in the village panchayat under clause (a). Guj. 7 of 1979.

(*c*) The net sale proceeds of the minor forest produce shall be paid into and form part of the village fund.

(*d*) Nothing in clause (a) shall be construed as vesting in the village panchayat the land in the area of forest referred to in clause (a) and trees and plantations thereon.

Explanation.—For the purposes of this sub-section ,—

(a) the expression ''minor forest produce" shall have the same meaning as assigned to it in clause (9) of section 2 of the Gujarat Minor Forest Produce Trade Nationalisation Act, 1979. Guj. 7 of 1979.

(b) the expression "net sale proceeds of the minor forest product" means the proceeds arrived at by deducting from the gross sale proceeds of the minor forest produce collected from the area of forest such amounts of the following payments made or expenses incured by the Gujarat State Forest Development Corporation Limited as may be determined by the Corporation having regared to the proportion of such gross sale proceeds to the total gross sale proceeds of the Corporation, namely :—

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(i) the amount of collection charges;

(ii) the amount of sales tax, and octroi, if any;

(iii) the amount of royalty paid to the State Government;

(iv) the amount of administrative expenses incurred for storage, handling and transport and sale operations of minor forest produce, and such other expenses;

(v) the amount paid to agent in terms of contract entered into with him.".

12. In section 112, after sub-section *(1)*, the following sub-section shall be inserted, namely:— I of 1894.

"*(1A)* The panchayat shall obtain from the *gram sabha* a certificate of utilization of funds by the panchayat for the plans, programmes and projects referred to in sub-clause *(i)* of clause (b) of sub-section *(3)* of section 4.".

13. After section 132, the following section shall be added, namely:—

Taluka Panchayat to be consulted before acquisition of land and rehabilitation of persons affected.

"132A. The taluka panchayat shall be consulted,—

(*a*) before acquiring under the Land Acquisition Act, 1894 any land situate in the taluka for any development project;

(*b*) before resettling or rehabilitating persons affected by such project.".

14. In Schedule I,—

(1) in entry 1, after sub-entry *(i)*, the following sub-entry shall be inserted, namely :—

"*(ia)* enforcing prohibition and regulating or restricting the sale and consumption of intoxicants; ".

(2) in entry 7, after sub-entry *(k)*, the following sub-entry shall be inserted, namely :—

"*(k-i)* planning and management of water bodies;".

(3) after entry 10, the following entry shall be added, namely :—

"11. In the sphere of social sectors—

the power to exercise control over institutions and functionaries in all social sectors.".

15. In Schedule II, in Part I, in entry 5, after sub-entry *(d)*, the following sub-entry shall be added, namely:—

"(*e*) control over local plans and resources for such plans including tribal sub-plans.".

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SCHEDULE V

Acts amended.

(*See* section 278AA)

Serial No. 1	Short Title 2	Extent of amendment 3
1.	The Bombay Land Revenue Code, 1879. (Bom. V of 1879.)	In section 73AA,— (1) in sub-sections (1) and (2), for the words "the Collector", the words " the District Panchayat" shall be substituted ; (2) in sub-section (3), in clause (a),– (a) for the words "occupancy to another tribal", the words "occupancy to any person " shall be substituted; (b) for the words "the Collector", occuring at two places, the words "the District Panchayat" shall be substituted; (3) in sub-section (4), in clause(a), the words, brackets and figure" of sub-section (1) of this section, or" shall be deleted; (4) in the *Explanation*, before clause (i), the following clause shall be inserted, namely:— "(ia) "district panchayat" means a district panchayat of a district comprising of any Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, in which the occupancy of the tribal exists;".
2.	The Bombay Money-Lenders Act, 1946. (Bom. XXXI of 1946.) Previous sanction of village panchayat before lending money to member of Scheduled Tribe.	After section 17, the following shall be inserted, namely:— "17A. No money lender shall lend any money to a member of the Scheduled Tribe residing in a Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, without previous sanction of the village panchayat of that village.".

5. *Repeal and savings.*—(1) The Gujarat Panchayats (Amendment) Ordinance, 1997 is hereby repealed. Guj.Ord. 13 of 1997.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Ordinance.

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STATEMENT

The Gujarat Panchayats Act, 1993 was enacted so as to bring the law relating to the panchayats in the State in conformity with Part IX of the Constitution of India relating to the panchayats. By virtue of section 3 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, the provisions of the said Part IX relating to panchayats are extended to the Scheduled Areas subject to the exceptions and modifications provided in section 4 of the said Central Act. In the State, there are certain areas which are declared by the President under paragraph 6 of the Fifth Schedule to the Constitution as the Scheduled Areas. Section 5 of the Central Act provides for continuation of the provisions of the State Act relating to Panchayats till 23rd December, 1997, although they may have become inconsistent with the provisions of the said Part IX as extended to the Scheduled Areas. It was, therefore, necessary to bring the Gujarat Panchayats Act, 1993 in conformity with the provisions of the said Part IX as extended to the Scheduled Areas.

Section 4 of the Central Act also requires the State Legislature to endow panchayats at the appropriate level and gram sabha with powers in respect of certain matters falling under other laws. It was, therefore, considered necessary to endow panchayats with powers in respect of those matters. Accordingly, relevant provisions of the Bombay Land Revenue Code, 1879 and the Bombay Money-lenders Act, 1946 are also amended.

As the Gujarat Legislative Assembly was not in session at that time, the Gujarat Panchayats (Amendment) Ordinance, 1997 was promulgated on the 20th December, 1997 to amend the Gujarat Panchayats Act, 1993 and other aforesaid Acts to achieve the aforesaid object. The said Ordinance was laid before the Gujarat Legislative Assembly in its session which was summoned to meet on the 19th March, 1998 and prorogued on the 27th March, 1998 but could not be replaced by an Act of the State Legislature in that session. By virtue of sub-clause (a) of clause (2) of article 213 of the Constitution of India, the said Ordinance would cease to operate after the 29th April, 1998, the date on which the period of six weeks from the date of re-assembly of the Gujarat Legislative Assembly expires. It is expedient to take immediate action to continue the operation of the provisions of the said Ordinance. Therefore, as the Gujarat Legislative Assembly is not in session, this Ordinance is promulgated to achieve the aforesaid object.

Gandhinagar,
Dated the 27th April, 1998.

ANSHUMAN SINGH,
Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

P. BASU,
Principal Secretary to Government.

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Extra No. 8

REGISTERED NO. G/GNR/2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] MONDAY, JULY 13, 1998/ASADHA 22, 1920

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 11th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 5 OF 1998

(First published, after having received the assent of the Governor in the Gujarat Government Gazette on the 13th July, 1998).

AN ACT

further to amend the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title and commencement.

1. *(1)* This Act may be called the Gujarat Panchayats (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 20th December, 1997.

Insertion of sections 278A and 278AA in Guj. 18 of 1993.

2. In the Gujarat Panchayats Act, 1993, (hereinafter referred to as "the principal Act"), after section 278, the following sections shall be inserted, namely:— Guj. 18 of 1993.

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Application of Act to Scheduled Areas of State.

"278A. This Act shall apply to the Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, subject to the modifications specified in Schedule IV.

Amendment of certain Acts in their application to Scheduled Areas of State.

278AA. The enactments specified in Schedule V shall, in their application to the Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, be amended to the extent specified in column 3 of the said Schedule.".

Insertion of new Schedules IV and V in Guj. 18 of 1993.

3. —In the principal Act, after Schedule III, the following Schedules shall be added, namely:—

"SCHEDULE IV

(*See* section 278A).

(Modifications subject to which this Act applies to the Scheduled Areas of the State.)

1. In section 2, after clause (19), the following clause shall be inserted, namely:—

"(19A) "Scheduled Areas" means the Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India ;".

2. For section 4, the following section shall be substituted, namely :—

Gram Sabha.

"4. (*1*) There shall be a *gram sabha* for a village for performing such functions as are provided by or under this Act.

(*2*) The *gram sabha* shall consist of persons whose names are included in the list of voters of electoral divisions of that village.

(*3*) The *gram sabha* shall perform the following additional functions, namely:—

(a) The *gram sabha* shall endeavour to safeguard and preserve the traditions and customs of the inhabitants of the village, their cultural identity, community resources and the customary mode of dispute resolution.

(b) The *gram sabha* shall—

(*i*) approve the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the village panchayat;

(*ii*) be responsible for the identification or selection of persons as beneficiaries under poverty alleviation and other programmes in the village.".

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3. In section 7, to sub-section *(1)*, the following proviso shall be added, namely:—

"Provided that while making a recommendation in respect of a local area in the Scheduled Areas it shall be ensured that the local area shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with the traditions and customs.".

4. In section 9, in sub-section *(5)*, in clause (a), after sub- clause *(i)*, the following sub-clause shall be inserted, namely:—

"*(ia)* In the case of a village panchayat, the whole local area of which comprises of any of the Scheduled Areas, the number of seats reserved for the Scheduled Tribes under sub-clause *(i)* shall be increased to such number as is not less than one-half of the total number of seats in the village panchayat.".

5. In section 10, in sub-section *(5)*, in clause *(a)*, after sub-clause *(i)*, the following sub-clause shall be inserted, namely:—

"*(ia)* In the case of a taluka panchayat, the whole local area of which comprises of any of the Scheduled Areas, the number of seats reserved for the Scheduled Tribes under clause *(i)* shall be increased to such number as is not less than one-half of the total number of seats in the taluka panchayat.".

6. In section 11, in sub-section *(5)*, in clause *(a)*, after sub- clause *(i)*, the following sub-clause shall be inserted, namely:—

"*(ia)* In the case of a district panchayat, the whole local area of which comprises of any of the Scheduled Areas, the number of seats reserved for the Scheduled Tribes under clause *(i)* shall be increased to such number as is not less than one half of the total number of seats in the district panchayat.".

7. After section 11, the following section shall be inserted, namely:—

Nomination of members of Scheduled Tribes.

"11A. If for any reason an election does not result in the return of any member of Scheuled Tribes in a taluka panchayat or district panchayat, then the State Government may nominate from amongst members belonging to Scheduled Tribes who are qualified to be elected, such number of members as not to exceed one-tenth of the total members to be elected in that panchayat.".

8. In section 51, in sub-section (2),—

(*1*) for clause (a), the following shall be substituted, namely:—

"(*a*) All offices of sarpanch of village panchayats in the State shall be reserved by the State Government for the Scheduled Tribes.

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Explanation.—For the purposes of this clause, "village panchayat" means the village panchayat, the whole local area of which comprises of the Scheduled Areas." ;

(2) in clause (b),—

(a) in sub-clause (i), the word "and " shall be deleted;

(b) sub-clause (ii) shall be deleted.

9. In section 63, in sub-section *(2)*, —

(i) for clause (a), the following shall be substituted, namely:—

"(a) All offices of the President of the taluka panchayats in the State shall be reserved by the State Government for the Scheduled Tribes.

Explanation.—For the purposes of this clause, "taluka panchayat" means the taluka panchayat, the whole local area of which comprises of the Scheduled Areas.";

(2) in clause *(b)*, —

(a) in sub-clause *(i)*, the word "and " shall be deleted ;

(b) sub-clause (ii) shall be deleted.

10. In section 77, in sub- section *(2)*,—

(1) for clause *(a)*, the following shall be substituted, namely:—

"*(a)* All offices of the President of the district panchayats in the State shall be reserved by the State Government for the Scheduled Tribes.

Explanation.—For the purposes of this clause, "district panchayat" means the district panchayat, the whole local area of which comprises of the Scheduled Areas.".

(2) in clause *(b)*, —

(a) in sub-clause *(i)*, the word "and " shall be deleted ;

(b) sub-clause (ii) shall be deleted.

11. In section 108, after sub-section *(4)*, the following sub-section shall be added, namely:—

"(5) (*a*) For the purposes of this Act, there shall be vested in the village panchayat minor forest produce found (except found in the areas of National Parks or Sanctuaries) in such area of a forest as is situate in the jurisdiction of that village.

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(*b*) The sale proceeds of the minor forest produce shall be paid into and form part of the village fund.

(c) Nothing in clause (a) shall be construed as vesting in the village panchayat the land in the area of forest referred to in clause (a) and trees and plantations thereon.

Explanation.—For the purposes of this sub-section the expression "minor forest produce" shall have the same meaning as assigned to it in clause (9) of section 2 of the Gujarat Minor Forest Produce Trade Nationalisation Act, 1979. Guj. 7 of 1979.

12. In section 112, after sub-section (*1*), the following sub-section shall be inserted, namely:—

"(*1A*) The village panchayat shall obtain from the *grqm sabha* a certificate of utilization of funds by that panchayat for the plans, programmes and projects referred to in sub-clause *(i)* of clause (b) of sub-section *(3)* of section 4.".

13. After section 132, the following section shall be added, namely:—

Taluka Panchayat to be consulted before acquisition of land and rehabilitation of persons affected.

"132A. The taluka panchayat shall be consulted,—

(*a*) before acquiring under the Land Acquisition Act, 1894 any land situate in the taluka for any development project; I of 1894.

(*b*) before resettling or rehabilitating persons affected by such project.".

14. In Schedule I,—

(1) in entry 1, after sub-entry *(i)*, the following sub-entry shall be inserted, namely :—

"*(ia)* enforcing prohibition and regulating or restricting the sale and consumption of intoxicants; ";

(2) in entry 7, after sub-entry *(k)*, the following sub-entry shall be inserted, namely :—

"(*k-i*) planning and management of water bodies;";

(3) after entry 10, the following entry shall be added, namely :—

"11. In the sphere of social sectors—

the power to exercise control over institutions and functionaries in all social sectors.".

15. In Schedule II, in Part I, in entry 5, after sub-entry *(d)*, the following sub-entry shall be added, namely:—

"(*e*) control over local plans and resources for such plans including tribal sub-plans.".

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SCHEDULE V

Acts amended.

(*See* section 278AA)

Serial No. 1	Short Title 2	Extent of amendment 3
1.	The Bombay Land Revenue Code, 1879. (Bom. V of 1879.)	In section 73AA,— (1) in sub-sections (1) and (2), for the words "the Collector", the words " the District Panchayat" shall be substituted ; (2) in sub-section (3), in clause (a),– (a) for the words "occupancy to another tribal", the words "occupancy to any person " shall be substituted; (b) for the words "the Collector", occuring at two places, the words "the District Panchayat" shall be substituted; (3) in sub-section (4), in clause(a), the words, brackets and figure"of sub-section (1) of this section, or" shall be deleted; (4) in the *Explanation*, before clause (i), the following clause shall be inserted, namely:— "(ia) "district panchayat" means a district panchayat of a district comprising of any Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, in which the occupancy of the tribal exists;".
2.	The Bombay Money-Lenders Act, 1946. (Bom. XXXI of 1946.) Previous sanction of village panchayat before lending money to member of Scheduled Tribe.	After section 17, the following shall be inserted, namely:— "17A. No money lender shall lend any money to a member of the Scheduled Tribe residing in a Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, without previous sanction of the village panchayat of that village.".

Repeal and savings.

4. (1) The Gujarat Panchayats (Amendment) Ordinance, 1998 is hereby repealed. Guj.Ord. 3 of 1998.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

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Extra No. 9 REGISTERED NO. G/GNR/2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] MONDAY, JULY 13, 1998/ASADHA 22, 1920

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART - IV

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The following Act of the Gujarat Legislature, having been assented to by the Governor on the 11th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 6 OF 1998

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette* on the 13th July, 1998).

AN ACT

further to amend the Gujarat State Guarantees Act, 1963.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :

Short title.

1. This Act may be called the Gujarat State Guarantees (Amendment) Act, 1998.

Amendment of section 2 of Guj. XXII of 1963.

Guj. XXII of 1963.

2. In the Gujarat State Guarantees Act, 1963, in section 2, in sub-section (*1*), for the letters and figures "Rs. 80,00,00,00,000", the letters and figures "Rs. 110,00,00,00,000" shall be substituted.

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Extra No. 10 REGISTERED NO. G/GNR/2.

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 7 OF 1998

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette* on the 31st July, 1998).

AN ACT

further to amend the Gujarat Tax on Luxuries (Hotels and Lodging Houses) Act, 1977.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows:—

Short title and commencement.

1. *(1)* This Act may be called the Gujarat Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Act, 1998.

(2) It shall come into force on the 1st August, 1998.

Amendment of section 2 of Guj. 24 of 1977.

2. In the Gujarat Tax on Luxuries (Hotels and Lodging Houses) Act, 1977 (hereinafter referred to as "the principal Act"), in section 2, in clause *(e)*, for the words "one hundred rupees", the words "two hundred rupees" shall be substituted.

Guj. 24 of 1977.

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Amendment of section 3 of Guj. 24 of 1977.

3. In the principal Act, in section 3, in sub-section *(1)*, for clauses (a) to *(d)*, the following clauses shall be substituted, namely:—

"*(a)*	Where the charges for lodging are not more than two hundred rupees per day per person.	Nil
(b)	Where the charges for lodging are more than two hundred rupees but not more than five hundred rupees per day per person.	15 per cent. of such charge.
(c)	Where the charges for lodging are more than five hundred rupees per day per person.	20 per cent. of such charge.".

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REGISTERED NO. G[GNR/2.

Extra No. 11.

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 8 OF 1998

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette* on the 31st July, 1998).

AN ACT

Further to amend the Gujarat Entertainments Tax Act, 1977.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title and commencement.

1. *(1)* This Act may be called the Gujarat Entertainments Tax (Amendment) Act, 1998.

(2) It shall come into force on the 1st August, 1998.

Guj. 16 of 1977.

Insertion of new section 3A in Guj. 16 of 1977.

2. In the Gujarat Entertainments Tax Act, 1977 (hereinafter referred to as "the principal Act"), after section 3, the following new section shall be inserted, namely :—

Certain entertainments free from tax.

"3A. notwithstanding anything contained in section 3, there shall not be levied and paid the tax to the State Government on any payment for admission to entertainments specified in the Schedule III.".

Insertion of new Schedule III in Guj. 16 of 1977.

3. In the principal Act, after Schedule II, the following Schedule shall be inserted, namely :—

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"SCHEDULE III

(*See* section 3A.)

(1) All kinds of musical programmes including musical nights and opera,
(2) All kinds of dances,
(3) All types of dramas and plays,
(4) Circus,
(5) Magic show,
(6) Puppet show and plays,
(7) *Mushayara* and Kavi *Sammenlan*,
(8) *Ras Garba*,
(9) *Bhawai* and *Ram Leela*,
(10) *Duha*, Mimikri, *Dayaro*,
(11) *Lok Natya*,
(12) Any type of exhibition of arts, skills and things,
(13) All kinds of sports excluding the sports or rides provided in the water park and holiday resorts.".

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Extra No. 12 REGISTERED NO. G/GNR/2.

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affirs Department.

GUJARAT ACT NO. 9 OF 1998

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette* on the 31st July, 1998).

AN ACT

further to amend the Bombay Stamp Act, 1958.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows:—

Short title and commencement.

1. *(1)* This Act may be called the Bombay Stamp (Gujarat Amendment) Act, 1998.

(2) It shall come into force on the 1st August, 1998.

Bom. LX of 1958.

Amendment of Schedule I to Bom. LX of 1958.

2. In the Bombay Stamp Act, 1958, in Schedule I,—

(1) in article 6, in clause *(2)*, in sub-clause *(ii)*, in column (2), for the words "One hundred rupees for every one lakh rupees or part thereof", the words "Subject to maximum of two lakhs rupees, one rupee for every hundred rupees or part thereof" shall be substituted;

(2) in article 12, for clauses *(a)* to *(g)*, the following shall be substituted, namely:—

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"Where the company has no share capital or nominal share capital.	Subject to minimum of one thousand rupees and maximum of five lakhs rupees, fifteen paise for every hundred rupees or part thereof.";

(3) in article 27, after clause *(b)*, the following clause shall be inserted, namely:—

"(c) when original mortgage is one of the description referred to in clause *(b)(i)* of article 36.	Subject to maximum of two lakhs rupees, two rupees for every hundred rupees or part thereof, for the amount of the further charge secured by such instrument.";

(4) in article 36,—

(a) for clause (b), the following clause shall be substituted, namely:—

"*(b)* When possession of the property or any part of the property comprised in such deed is not given or not agreed to be given,—	
(i) in the case of such deed executed by the Industrial Undertaking in favour of any Financial Institution for borrowing loans from such Institutions	Subject to maximum of rupees two lakhs, two rupees for every hundred rupees or part thereof for the amount secured by such deed.
(ii) in any other case	Three rupees for every hundred rupees or part thereof for the amount secured by such deed. '' ;

(b) the existing *Explanation* shall be re-numbered as *Explanation I* and after *Explanation I* as so renumbered, the following Explanations shall be inserted, namely:—

''*Explanation II.*—For the purpose of this article, the expression "Industrial Undertaking" means and includes any undertaking by a person or group of persons engaged in—

(i) the manufacture, preservation or processing of goods;

(ii) mining or development of mines;

(iii) the hotel industry;

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(iv) the transport of passengers or goods by road, water, air, ropeway or by lift;

(v) the generation or distribution of electricity or any other form of energy ;

(vi) the maintenance, repair, testing or servicing of machinery of any description of vehicles or vessels or motor boats or trailers or tractors;

(vii) assembling, repairing or packing any article with the aid of machinery or energy ;

(viii) the setting up or development of an industrial area or industrial estate ;

(ix) fishing or providing shore facilities for fishing or maintenance thereof ;

(x) providing special or technical knowledge or other services for the promotion of industrial growth ;

(xi) providing weigh bridge facilities ;

(xii) the research and development of any process or product in relation to any of the matters aforesaid.

Explanation III.—The expression "processing goods" includes any art or process for producing, preparing or making any article by subjecting any material to a manual, mechanical, chemical, electrical or any other like operation.";

(5) in article 44, in clause (1), for column (2), the following shall be substituted, namely:—

"Subject to minimum of five hundred rupees and maximum of five thousand rupees, one rupee for every hundred rupees or part thereof of the amount of the capital of partnership.";

(6) in article 56, in clause (a), for column (2), the following shall be substituted, namely:—

"Subject to maximum of ten thousand rupees, one rupee for every hundred rupees or part thereof of the face amount of the debenture.".

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

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Extra No. 13 REGISTERED NO. G/GNR/2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 10 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July, 1998)

AN ACT

further to amend the Bombay Motor Vehicles Tax Act, 1958.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Bombay Motor Vehicles Tax (Gujarat Amendment) Act, 1998. Short title and commencement.

(2) It shall come into force on the 1st August, 1998.

Bom. LXV of 1958.

2. In the Bombay Motor Vehicles Tax Act, 1958 (hereinafter referred to as "the principal Act"), in section 2, after clause (1), the following clause shall be inserted, namely :— Amendment of section 2 of Bom. LXV of 1958.

"(1A) 'cost of vehicle', in relation to—

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(*a*) a vehicle manufactured in India means the ex-factory price of the vehicle as shown in the invoice of the vehicle issued either by the manufacturer or the dealer of the vehicle; and

(*b*) a vehicle imported into India means value of vehicle as assessable under the Customs Act, 1962 and endorsed as such in the Bill of Entry under that Act;". 52 of 1962.

Amendment of section 3 of Bom. LXV of 1958.

3. In the principal Act, in section 3,—

(*1*) in sub-section (1), for the words "First, Second and Third Schedules", the words "First, Second, Third, Fourth and Fifth Schedules" shall be substituted;

(*2*) in the proviso, after the words "Second Schedule", the words "or the Fourth Schedule" shall be inserted.

Amendment of section 3A of Bom. LXV of 1958.

4. In the principal Act, in section 3A, for sub-section *(4)*, the following sub-section shall be substituted, namely:—

"(4) In calculating the amount of tax due under this section, the fraction of a rupee not exceeding fifty paise shall be ignored and the fraction of a rupee exceeding fifty paise shall be taken as a rupee.".

Amendment of section 4 of Bom. LXV of 1958.

5. In the principal Act, in section 4,—

(*1*) in sub-section (1AB), for the words "Second Schedule or the Third Schedule", the words "Second Schedule, Third Schedule, Fourth Schedule or Fifth Schedule" shall be substituted;

(*2*) for sub-section *(2)*, the following sub-section shall be substituted, namely :—

"(2) In calculating the amount of tax due under this section, the fraction of a rupee not exceeding fifty paise shall be ignored and the fraction of a rupee exceeding fifty paise shall be taken as a rupee.".

Amendment of section 5 of Bom. LXV of 1958.

6. In the principal Act, in section 5, in sub-section *(1)*, for the words and figure "under section 3", the words "under this Act" shall be substituted.

Amendment of section 6 of Bom. LXV of 1958.

7. In the principal Act, in section 6,—

(*1*) in sub-section (*1*), for the words "the tax which he appears by such declaration to be liable to pay", the words "the tax which the Taxation Authority certifies on such declaration to be due" shall be substituted;

(*2*) in sub-section (*2*),—

(*a*) for the words "additional tax", the words "additional tax or a lump sum tax" shall be substituted;

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(*b*) for the words "the additional tax payable under that section, which he appears by such additional declaration to be liable to pay", the words "an additional tax or the lump sum tax payable under that section which the Taxation Authority certifies on such declaration to be due" shall be substituted;

(3) sub-section *(5)* shall be deleted.

Amendment of section 11 of Bom. LXV of 1958.

8. In the principal Act, in section 11, in sub-section (*2*), in clause (c), for the words "Fourth Schedule", the words "Sixth Schedule" shall be substituted.

Insertion of new sections 12A and 12B in Bom. LXV of 1958.

9. In the principal Act, after section 12, the following sections shall be inserted, namely :—

Restrictions on use of motor vehicles in certain cases.

"12A. No motor vehicle used or kept for use in the State shall be used on any road in the State where the tax payable in respect of such vehicle remains unpaid for more than thirty days after it has become due under the provisions of this Act, until the tax, penalty and interest, if any, due is paid.

Power to seize and detain motor vehicle for non-payment of tax.

12B. Without prejudice to the provisions of sections 12, 12A and 16, where any tax due under this Act in respect of any vehicle has not been paid, an officer not below the rank of an Inspector of Motor Vehicles or an Inspector of Police, as the State Government may empower in this behalf, seize and detain such vehicle and for this purpose, take or cause to be taken all steps as he may consider necessary for the proper maintenance and safe custody of the vehicle until the tax, penalty and interest, if any, due in respect of such vehicle and charges for the custody and maintenance of vehicle, is paid.".

Amendment of section 25 of Bom. LXV of 1958.

10. In the principal Act, in section 25, for the words "Fifth Schedule", the words "Seventh Schedule" shall be substituted.

Amendment of First Schedule to Bom. LXV of 1958.

11. In the principal Act, in the First Schedule,—

(1) in Part–I,—

(a) for the words *"Motor Vehicles using Motor Spirit"*, the words *"Motor Vehicles using motor spirit, compressed natural gas or operated by electric battery or solar energy"* shall be substituted;

(b) the letter and words "A. Motor Vehicles fitted solely with pneumatic tyres" shall be deleted;

(c) in sub-clause VII, item (iii) shall be deleted;

(d) class B shall be deleted;

(*2*) in Part–II, for the words *"Motor Vehicles using fuel other than motor spirit"*, the words *"Motor Vehicles using fuel other than motor spirit, compressed natural gas or operated by electric battery or solar energy"* shall be substituted.

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Amendment of Second Schedule to Bom. LXV of 1958.

12. In the principal Act, in the Second Schedule,—

(1) in Part–I,—

(a) for the words "Motor Vehicles using motor spirit", the words ''Motor Vehicles using motor spirit, compressed natural gas or operated by electric battery or solar energy''shall be substituted ;

(b) the letter and words "A. Motor Vehicles fitted solely with pneumatic tyres" shall be deleted ;

(c) clause III shall be deleted;

(d) in clause IV, the words and letters "or clause III" and the words and letters "or as the case may be, clause III" shall be deleted;

(e) in the *Explanations* I and II, the words and letters "and clause III", shall be deleted;

(f) class B shall be deleted.

(2) in Part—II, for the words *"Motor Vehicles using fuel other than motor spirit"*, the words *"Motor Vehicles using fuel other than motor spirit, compressed* natural gas or operated by electric battery or solar energy" shall be substituted.

Amendment of Third Schedule to Bom. LXV of 1958.

13. In the principal Act, in the Third Schedule,—

(1) in Part I,—

(a) for the words *"Motor Vehicles using motor spirit"*, the words *"Motor Vehicles using motor spirit, compressed natural gas or operated by electric battery or solar energy''* shall be substituted;

(b) the letter and words "A. Motor Vehicles fitted solely with pneumatic tyres" shall be deleted;

(c) clause III shall be deleted;

(d) in clause IV, the words and letters "or clause III" and the words and letters "or as the case may be, clause III" shall be deleted;

(e) in the *Explanations* I and II, the words and letters "and clause III" shall be deleted.

(f) class B shall be delete;

(2) in Part—II, for the words *"Motor Vehicles using fuel other than motor spirit"*, the words *"Motor Vehicles using fuel other than motor spirit, compressed natural gas or operated by electric battery or solar energy"* shall be substituted.

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14. In the principal Act, after the Third Schedule, the following Schedules shall be inserted, namely :— Insertion of new Schedules in Bom. LXV of 1958.

"FOURTH SCHEDULE

(*See* section 3)

Motor Vehicles (other than transport vehicles and motor vehicles liable to tax under the Second Schedule) registered in the State of Gujarat on or after the 1st August, 1998.

		Maximum rate of Lump sum Tax. Rs.
Part–I.—	*Motor Vehicles using motor spirit, compressed natural gas or operated by electric battery or solar energy.*	
A.	Motor Vehicles including a trailer to carry personal effects or a camping trailer for private use, attached to such motor vehicle owned by an individual, an educational institution, a local authority, a public trust, a social welfare institution or a University: Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailor.	Eight percent. of the cost of vehicle including the trailer or camping trailer, if any.
B.	Motor Vehicles owned by a person other than an individual, an educational institution, a local authority, a public trust, a social welfare institution or a University.	Twice the rates specified in clause A.
C.	Motor Vehicles falling under clause A or clause B and manufactured out of India and imported into India after the 31st July, 1998.	Twice the rates specified in clause A, or as the case may be, clause B.
Part-II.—	*Motor Vehicles using fuel other than motor spirit, compressed natural gas or operated by electric battery or solar energy.*	The rates specified in Part I plus a surcharge of fifty per cent.

***Explanation I.*—For the purposes of this Schedule,—**

(*a*) (i) "educational institution" shall mean such educational institution as is recognised by the State Government by order notified in the *Official Gazette*, in this behalf;

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(ii) "local authority" shall mean any municipal corporation, municipality, cantonment board or panchayat constituted under any law for the time being in force in the State of Gujarat;

(iii) "public trust " shall mean a public trust registered under the Bombay Public Trusts Act, 1950 as in force in the State of Gujarat; Bom. XXIX of 1950.

(iv) "social welfare institution " shall mean any institution engaged in any activity conducive to the welfare of the general public and recognised by the State Government by order notified in the *Official Gazette*, for the purposes of this Schedule;

(v) " University" shall mean a university established by or under any law for the time being in force in the State of Gujarat;

Explanation II.—If a motor vehicle is jointly owned by more persons than one, then notwithstanding anything contained in the proviso to sub-section (1) of section 41 of the Motor Vehicles Act, 1988, such motor vehicle shall be deemed to be owned by a person other than individual. 59 of 1988.

Explanation III.—For the purposes of calculating the rate of lump sum tax under this Schedule if the invoice of the vehicle, or as the case may be, the Bill of Entry is not produced for any reason, then, the cost of vehicle shall be calculated as follows, namely:—

(1) (i) In case of model of such vehicle is being manufactured, the cost of vehicle certified by a local dealer or manufacturer of such vehicle;

(ii) In case the manufacture of such model is ceased, the prevailing market price of such vehicle certified by the licensed assessor or valuer of motor vehicles.

(2) If the cost of vehicle could not be calculated as per clause (1), the prevailing cost of similar vehicle determined by the Taxation Authority, closest in engine capacity and unladen weight of the vehicle in respect of which a tax is to be levied and collected.

Explanation IV.—In calculating the cost of vehicle, if the cost of the vehicle is not in multiple of hundred, the fraction of a hundred not exceeding fifty rupees shall be ignored and the fraction of hundred exceeding fifty rupees shall be taken as hundred rupees.

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FIFTH SCHEDULE

(*See* section 3)

Motor Vehicles (other than transport vehicles and motor vehicles liable to tax under the Third Schedule) registered in any State other than State of Gujarat and brought for use or keeping for use in the State of Gujarat on or after the 1st August, 1998.

Motor Vehicles other than those described in the Third Schedules but including a trailer to carry personal effects or a camping trailer for private use, attached to such motor vehicles.

	If the age of the vehicle from the month of registration is—	Rate of lump sum tax.
1.	not more than 2 years	95% of the tax.
2.	more than 2 years but not more than 3 years	90% of the tax.
3.	more than 3 years but not more than 4 years	85% of the tax.
4.	more than 4 years but not more than 5 years	80% of the tax.
5.	more than 5 years but not more than 6 years	75% of the tax.
6.	more than 6 years but not more than 7 years	70% of the tax.
7.	more than 7 years but not more than 8 years	65% of the tax.
8.	more than 8 years but not more than 9 years	60% of the tax.
9.	more than 9 years but not more than 10 years	55% of the tax.
10.	more than 10 years but not more than 11 years	50% of the tax.
11.	more than 11 years but not more than 12 years	45% of the tax.

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12.	more than 12 years but not more than 13 years	40% of the tax.
13.	more than 13 years but not more than 14 years	35% of the tax.
14.	more than 14 years	30% of the tax.

Explanation.—For the purposes of this Schedule, the expression 'tax' means the tax leviable under the Fourth Schedule."

Amendment of Fourth Schedule to Bom. LXV of 1958.

15. In the principal Act, the existing FOURTH SCHEDULE shall be renumbered as SIXTH SCHEDULE.

Amendment of Fifth Schedule to Bom. LXV of 1958.

16. In the principal Act, the existing FIFTH SCHEDULE shall be renumbered as SEVENTH SCHEDULE.

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

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Extra No. 14. REGISTERED NO. G/GNR/2.

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920

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PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 11 OF 1998

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette* on the 31st July, 1998).

AN ACT

further to amend the Gujarat Lokayukta Act, 1986.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Gujarat Lokayukta (Amendment) Act, 1998.

Amendment of section 5 of Guj. 31 of 1986.

2. In the Gujarat Lokayukta Act, 1986, in section 5, after sub- section (4), the following sub-section shall be added, namely :— Guj. 31 of 1986.

"(5) The salaries, allowances and pension payable to, or in respect of, Lokayukta shall be expenditure charged on the Consolidated Fund of the State.".

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

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Extra No. 15

REGISTERED NO. G/GNR/2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

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KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 12 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July, 1998).

AN ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1999.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Gujarat Appropriation Act, 1998. Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there may be withdrawn sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of twelve thousand forty-two crores, eighty-five lakhs, one thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1998-99, in respect of the services and purposes specified in column 2 of the Schedule. Withdrawal of Rs.1,20,42,85,01,000 from and out of the Consolidated Fund of the State of Gujarat for the financial year 1998-99.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. Appropriation.

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SCHEDULE

(*See* sections 2 and 3)

No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
1	Agriculture and Co-operation Department	Revenue	3,48,00,000	—	3,48,00,000
2	Agriculture	Revenue	1,35,32,54,000	5,73,000	1,35,38,27,000
		Capital	46,67,000	—	46,67,000
3	Minor Irrigation, Soil Conservation and Area Development	Revenue	43,08,19,000	—	43,08,19,000
		Capital	3,00,40,000	—	3,00,40,000
4	Animal Husbandry and Dairy Development	Revenue	41,23,33,000	—	41,23,33,000
		Capital	44,67,000	—	44,67,000
5	Co-operation	Revenue	24,90,83,000	—	24,90,83,000
		Capital	32,44,42,000	—	32,44,42,000
6	Other expenditure pertaining to Agriculture and Co-operation Department	Capital	2,01,10,000	—	2,01,10,000
7	Education Department	Revenue	1,91,89,000	—	1,91,89,000
8	Education	Revenue	16,80,57,23,000	48,19,66,000	17,28,76,89,000
		Capital	(—)1,12,000	—	(—)1,12,000
9	Other expenditure pertaining to Education Department	Revenue	1,81,14,000	—	1,81,14,000
		Capital	20,81,93,000	—	20,81,93,000
10	Energy and Petro-Chemicals Department	Revenue	71,97,000	—	71,97,000
11	Tax Collection Charges (Energy and Petro-Chemicals Department)	Revenue	4,40,85,000	—	4,40,85,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
12	Energy Projects	Revenue	4,05,26,67,000	—	4,05,26,67,000
		Capital	4,05,71,00,000	—	4,05,71,00,000
13	Other expenditure pertaining to Energy and Petro-Chemicals Department	Revenue	10,00,000	—	10,00,000
		Capital	20,07,63,000	—	20,07,63,000
14	Finance Department	Revenue	4,31,08,000	—	4,31,08,000
		Capital	6,47,000	—	6,47,000
15	Tax Collection Charges (Finance Department)	Revenue	46,08,95,000	—	46,08,95,000
16	Treasury and Accounts Administration	Revenue	31,26,51,000	1,000	31,26,52,000
17	Pension and Other Retire-ment Benefits	Revenue	4,03,89,13,000	2,66,000	4,03,91,79,000
18	Other expenditure pertaining to Finance Department	Revenue	(—)1,72,86,61,000	—	(—)1,72,86,61,000
		Capital	1,07,68,000	66,000	1,08,34,000
19	Repayment of debt pertaining to Finance Department	Revenue	—	13,18,44,14,000	13,18,44,14,000
		Capital	—	5,57,41,77,000	5,57,41,77,000
20	Food, Civil Supplies and Consumer Affairs Department	Revenue	4,53,13,000	—	4,53,13,000
21	Civil Supplies	Revenue	60,52,21,000	—	60,52,21,000
		Capital	2,000	—	2,000
22	Food	Revenue	9,84,70,000	—	9,84,70,000
		Capital	91,66,000	—	91,66,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
23	Other expenditure pertaining to Food, Civil Supplies and Consumers Affairs Department	Revenue	—	1,000	1,000
		Capital	73,53,000	—	73,53,000
24	Forests and Environment Department	Revenue	1,04.40,000	—	1,04.40,000
25	Forests	Revenue	67,82,60,000	—	67,82,60,000
		Capital	79,71,16,000	—	79,71,16,000
26	Environment	Revenue	4,48,33,000	—	4,48,33,000
27	Other expenditure pertaining to Forests and Environment Department	Capital	1,85,13,000	—	1,85,13,000
28	Governor	Revenue	—	1,28,94,000	1,28,94,000
29	Council of Ministers	Revenue	2,24,50,000	—	2,24,50,000
30	Elections	Revenue	6,47,57,000	—	6,47,57,000
31	Public Service Commission	Revenue	1,40,92,000	1,50,91,000	2,91,83,000
32	General Administration Department	Revenue	14,76,53,000	—	14,76,53,000
33	Economic Advice and Statistics	Revenue	6,62,06,000	—	6,62,06,000
34	Other expenditure pertaining to General Administration Department	Revenue	1,21,46,48,000	—	1,21,46,48,000
		Capital	88,20,000	—	88,20,000
35	State Legislature	Revenue	4,66,49,000	3,18,000	4,69,67,000
36	Loans and Advances to Government Servants in Gujarat Legislature Secretariat	Capital	8,23,000	—	8,23,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
37	Health and Family Welfare Department	Revenue	2,99,10,000	—	2,99,10,000
38	Medical and Public Health	Revenue	5,13,60,41,000	3,02,000	5,13,63,43,000
39	Family Welfare	Revenue	99,98,51,000	—	99,98,51,000
40	Other expenditure pertaining to Health and Family Welfare Department	Revenue	51,55,96,000	—	51,55,96,000
		Capital	2,84,68,000	—	2,84,68,000
41	Home Department	Revenue	3,05,22,000	—	3,05,22,000
42	Police	Revenue	4,49,35,23,000	2,07,87,000	4,51,43,10,000
43	Jails	Revenue	16,39,05,000	—	16,39,05,000
44	Transport	Revenue	46,73,09,000	—	46,73,09,000
		Capital	35,00,00,000	—	35,00,00,000
45	State Excise	Revenue	3,60,22,000	—	3,60,22,000
46	Other expenditure pertaining to Home Department	Revenue	45,02,42,000	1,34,000	45,03,76,000
		Capital	25,23,54,000	—	25,23,54,000
47	Industries and Mines Department	Revenue	1,61,90,000	—	1,61,90,000
48	Stationery and Printing	Revenue	28,34,42,000	—	28,34,42,000
49	Industries	Revenue	1,61,18,88,000	—	1,61,18,88,000
		Capital	34,65,17,000	—	34,65,17,000
50	Mines and Minerals	Revenue	10,81,43,000	—	10,81,43,000
51	Other expenditure pertaining to Industries and Mines Department	Revenue	3,47,000	—	3,47,000
		Capital	2,72,40,000	—	2,72,40,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
52	Information, Broadcasting and Tourism Department	Revenue	48,25,000	—	48,25,000
53	Information and Publicity	Revenue	14,45,97,000	—	14,45,97,000
54	Tourism.	Revenue	7,53,86,000	—	7,53,86,000
		Capital	5,00,00,000	—	5,00,00,000
55	Other expenditure pertaining to Information, Broadcasting and Tourism Department	Revenue	3,55,52,000	—	3,55,52,000
		Capital	11,53,000	—	11,53,000
56	Labour and Employment Department	Revenue	1,06,19,000	—	1,06,19,000
57	Labour and Employment	Revenue	67,61,43,000	4,000	67,61,47,000
		Capital	15,000	—	15,000
58	Other expenditure pertaining to Labour and Employment Department	Capital	1,73,07,000	—	1,73,07,000
59	Legal Department	Revenue	1,76,15,000	—	1,76,15,000
		Capital	5,00,000	—	5,00,000
60	Administration of Justice	Revenue	61,74,52,000	11,75,02,000	73,49,54,000
61	Other expenditure pertaining to Legal Department	Revenue	2,90,73,000	—	2,90,73,000
		Capital	2,30,67,000	—	2,30,67,000
62	Legislative and Parliamentary Affairs Department	Revenue	1,41,12,000	—	1,41,12,000
63	Other expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	5,40,000	—	5,40,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
64	Narmada Water Resources and Water Supply Department	Revenue	2,94,63,000	—	2,94,63,000
65	Narmada Development Scheme	Capital	8,80,00,13,000	—	8,80,00,13,000
66	Irrigation and Soil Conservation	Revenue	6,47,35,04,000	—	6,47,35,04,000
		Capital	2,08,75,90,000	55,47,000	2,09,31,37,000
67	Water Supply	Revenue	1,34,82,77,000	—	1,34,82,77,000
		Capital	2,41,19,33,000	—	2,41,19,33,000
68	Other expenditure pertaining to Narmada, Water Resources and Water Supply Department	Revenue	82,000	1,24,30,000	1,25,12,000
		Capital	18,85,30,000	—	18,85,30,000
69	Panchayats, Rural Housing and Rural Development Department	Revenue	2,03,79,000	—	2,03,79,000
70	Community Development	Revenue	82,26,67,000	—	82,26,67,000
71	Rural Housing and Rural Development	Revenue	1,99,60,85,000	66,69,86,000	2,66,30,71,000
		Capital	1,29,67,000	—	1,29,67,000
72	Compensation and Assignments	Revenue	21,47,19,000	—	21,47,19,000
73	Other expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	15,68,24,000	—	15,68,24,000
		Capital	12,62,83,000	—	12,62,83,000
74	Fisheries	Revenue	16,09,60,000	—	16,09,60,000
		Capital	8,21,26,000	—	8,21,26,000
75	Other expenditure pertaining to Ports and Fisheries Department	Revenue	52,22,000	—	52,22,000
		Capital	16,47,000	—	16,47,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
76	Revenue Department	Revenue	4,72,47,000	—	4,72,47,000
77	Tax Collection Charges (Revenue Department)	Revenue	41,09,04,000	—	41,09,04,000
78	District Administration	Revenue	46,67,30,000	—	46,67,30,000
79	Relief on Account of Natural Calamities	Revenue	2,26,61,33,000	—	2,26,61,33,000
80	Dangs District	Revenue	11,46,20,000	—	11,46,20,000
81	Compensation and Assignments.	Revenue Capital	11,51,33,000 10,67,000	11,50,000 4,67,000	11,62,83,000 15,34,000
82	Other expenditure pertaining to Revenue Department	Revenue Capital	38,91,000 2,53,90,000	1,000 —	38,92,000 2,53,90,000
83	Roads and Buildings Department	Revenue	2,98,79,000	—	2,98,79,000
84	Non-Residential Buildings	Revenue Capital	1,24,61,56,000 66,33,64,000	2,50,000 —	1,24,64,06,000 66,33,64,000
85	Residential Buildings	Revenue Capital	49,96,78,000 19,71,85,000	15,000 —	49,96,93,000 19,71,85,000
86	Roads and Bridges	Revenue Capital	3,06,18,90,000 1,46,69,83,000	16,24,000 —	3,06,35,14,000 1,46,69,83,000
87	Gujarat Capital Construction Scheme	Revenue Capital	5,07,80,000 25,51,33,000	— —	5,07,80,000 25,51,33,000
88	Other expenditure pertaining to Roads and Buildings Department	Revenue Capital	7,23,79,000 4,55,00,000	33,69,000 —	7,57,48,000 4,55,00,000
89	Social Welfare and Tribal Development Department	Revenue	1,60,92,000	—	1,60,92,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
90	Social Security and Welfare	Revenue	1,08,20,79,000	31,33,000	1,08,52,12,000
		Capital	2,54,12,000	—	2,54,12,000
91	Welfare of Scheduled Tribe	Revenue	27,08,95,000	—	27,08,95,000
		Capital	42,60,000	—	42,60,000
92	Other expenditure pertaining to Social Welfare and Tribal Development Department	Capital	80,70,000	—	80,70,000
93	Special Component Plan for Scheduled Castes	Revenue	1,71,13,65,000	—	1,71,13,65,000
		Capital	6,59,14,000	—	6,59,14,000
94	Tribal Area Sub - Plan	Revenue	4,82,05,57,000	—	4,82,05,57,000
		Capital	1,57,18,34,000	—	1,57,18,34,000
95	Urban Development and Urban Housing Department	Revenue	1,13,11,000	—	1,13,11,000
96	Urban Housing	Revenue	11,57,73,000	18,52,67,000	30,10,40,000
97	Urban Development	Revenue	1,36,09,46,000	—	1,36,09,46,000
		Capital	1,50,00,000	—	1,50,00,000
98	Compensation, Assignment and Tax Collection Charges	Revenue	28,35,33,000	20,00,69,000	48,36,02,000
99	Other expenditure pertaining to Urban Development and Urban Housing Department	Revenue	1,01,12,000	—	1,01,12,000
		Capital	9,70,000	—	9,70,000
100	Sports, Youth and Cultural Activities Department	Revenue	54,42,000	—	54,42,000
101	Youth Services and Cultural Activities	Revenue	19,68,60,000	—	19,68,60,000

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No. of Vote/ Appro-priation	Services and purposes		Sums not exceeding		
			Voted	*Charged* on the Consolidated Fund	Total
1	2			3	
102	Other expenditure pertaining to Sports, Youth and Cultural Activities Department	Capital	14,53,000	—	14,53,000
	Total :	Revenue	75,08,10,34,000	14,90,85,47,000	89,98,95,81,000
		Capital	24,85,86,63,000	5,58,02,57,000	30,43,89,20,000
	Grand Total :		99,93,96,97,000	20,48,88,04,000	1,20,42,85,01,000

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

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Extra No. 16

REGISTERED NO. G/GNR/2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 13 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July 1998.)

AN ACT

further to amend the Gujarat Sales Tax Act, 1969.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title and commencement.

1. *(1)* This Act may be called the Gujarat Sales Tax (Amendment) Act, 1998.

(2) It shall come into force on the 1st August, 1998.

Amendment of section 2 of Guj. 1 of 1970.

Guj. 1 of 1970.

2. In the Gujarat Sales Tax Act, 1969 (hereinafter referred to as "the principal Act"), in section 2,—

(1) after clause *(3)*, the following clause shall be inserted, namely:-

"(3A) "brand" means a particular make of goods, indicated by a trademark or a mark such as symbol, monogram or label or other method, whether registered or not;";

(2) for clause *(21)*, the following clause shall be substituted, namely:—

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"(21) "prohibited goods" means the goods described in entires 2, 4, 5, 12, 15, 17, 19, 20, 21, 22, 25, 27, 32, 33, 34, 35, 36, 37, 38, 40, 42, 44, 45, 46, 54, 55 and 60 in Schedule II, Part A or in entries 1 and 7 in Schedule-II, Part B and such other goods as the State Government may, from time to time, by notification in the *Official Gazette*, specify,";

(3) in clause (25), the words and figures "or 30" shall be deleted;

(4) in clause (26), for the figures and letter "15, 19A" the figures "15" shall be substituted;

Amendment of section 3 of Guj. I of 1970.

3. In the principal Act, in section 3, in sub-section (4),—

(1) in clause (ii), for the words, brackets and figures "to whom clauses (i), (iii) and (iv) do not apply", the words, brackets figures and letter "to whom clauses (ia), (i), (iii) and (iv) do not apply," shall be substituted;

(2) in clause (iii)—

(a) for the letters and figures "Rs. 75000", the letters and figures "Rs. 2,00,000" shall be substituted;

(b) for item (a), the following item shall be substituted, namely:—

"*(a)* in the case of a dealer who is an importer to whom clause (i) does not apply and the value of any taxable goods sold or purchased by him during the year exceeds Rs. 10,000 and the value of any taxable goods brought by him into the State or despatched to him from outside the State during the year exceeds Rs. 10,000, or";

(c) in item (b), for the letters and figures "Rs. 5000", the letters and figures "Rs. 10,000" shall be substituted;

(d) in item (c) —

(i) for the words, brackets and figure "to whom neither clause (i)" the words, brackets, figures and letter "to whom neither clause (ia) nor clause (i)" shall be substituted;

(ii) for the letters and figures "Rs. 5000" occurring at two places, the letters and figures "Rs. 10000" shall be substituted;

(3) in clause (iv),—

(a) for the letters and figures "Rs. 2,00,000", the letters and figures "Rs. 5,00,000" shall be substituted;

(b) for the words, brackets and figures "to whom neither clause (i)", the words, brackets, figures and letter "to whom neither clause (ia) nor clause (i)" shall be substituted;

(c) for the letters and figures "Rs. 5,000", the letters and figures "Rs. 10,000" shall be substituted.

Amendment of section 12 of Guj. I of 1970.

4. In the principal Act, in section 12,—

(1) in clause (1),—

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(a) in sub-clause (b), the word "or" occurring at the end shall be deleted;

(b) sub-clause (aa) shall be deleted;

(2) in clause (2),—

(a) in sub-clause (c), the word "or" occurring at the end shall be deleted;

(b) sub-clause (aa) shall be deleted.

Amendment of section 16 of Guj. 1 of 1970.

5. In the principal Act, in section 16, in sub-section (5), the portion begining with the words "the sales tax levied" and ending with the words and figures "ofsection 12, or" shall be deleted.

Amendment of section 17 of Guj. 1 of 1970.

6. In the principal Act, in section 17, in sub-section *(1)* and *(2)* for the figures and letters "15A, 16, 19A", the figure and letter "15A, 16" shall be substituted.

Deletion of section 19A of Guj. 1 of 1970.

7. In the principal Act, section 19A shall be deleted.

Amendment of section 19B of Guj. 1 of 1970.

8. In the principal Act, in section 19B, the words "or peanut" wherever they occur, shall be deleted.

Amendment of section 29 of Guj. 1 of 1970.

9. In the principal Act, in section 29, to sub-section (3), the following proviso shall be added, namely:—

"Provided that where an application is made under sub-section *(2)* by a dealer whose earlier certificate of registration is cancelled under clause (b) of sub-section *(2)* of section 30AA, the prescribed authority shall not register the applicant nor issue to him a certificate of registration unless the applicant furnishes the declarations or returns as required by the notice served upon him under clause (a) of sub-section *(2)* of section 30AA in relation to the cancellation of certificate of registration and makes payment of penalty, if any, imposed under sub-section *(3A)* of section 45.".

Deletion of section 30 of Guj. 1 of 1970.

10. In the principal Act, section 30 shall be deleted.

Amendment of section 30AA of Guj. 1 of 1970.

11. In the principal Act, section 30AA shall be renumbered as sub-section *(1)* of that section; and

(1) in sub-section *(1)* as so renumbered, in the proviso, for the words "under this section" the words "under this sub-section" shall be substituted; and

(2) after sub-section *(1)* as so renumbered, the following sub-sections shall be added, namely :—

"*(2)* (a) Where a dealer does not furnish declaration or return for three or more consecutive periods in contravention of sub-section *(1)* of section 40, the Commissioner shall serve on such dealer in the prescribed manner a notice requiring him on or before the date specified therein to furnish or cause to be furnished declarations or returns for the periods specified therein .

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(b) Where a dealer fails to furnish declarations or returns as required by the notice served upon him under clause (a), before the expiry of the date specified therein, the Commissioner shall, without prejudice to any penalty leviable on such dealer under this Act, cancel the certificate of registration of such dealer :

Provided that notwithstanding the cancellation of a certificate of registration under this sub-section, the liability of the dealer shall continue in respect of any tax, penalty or interest for any period prior to the date of the order of the Commissioner cancelling the certificate of registration.

(3) For the purpose of cancellation of certificate of registration under sub-section *(1)* or clause (b) of sub-section (2), the Commissioner shall call upon the dealer to forthwith produce before him the certificate and on such production, the Commissioner shall make an endorsement of cancellation on the certificate.".

Amendment of section 30B of Guj. 1 of 1970.

12. In the principal Act, in section 30B, in sub-section *(1)*, for the words, figures and letter "section 29, 30 or 30A" the words, figures and letter "section 29 or 30A" shall be substituted;

Insertion of new section 41B in Guj. 1 of 1970.

13. In the principal Act, after section 41AA, the following section shall be inserted, namely :—

Provisional assessment.

"41B. (1) Where the Commissioner has reason to believe that the dealer has evaded the tax, he may, after taking into account all relevant materials gathered by him and after giving the dealer a reasonable opportunity of being heard, provisionally assess to the best of his judgement the amount of tax payable by the dealer.

(2) The provisions of this Act shall *mutatis mutandis* apply to the provisional assessment as if provisional assessment were an assessment made under this Act.".

Substitution of section 42 of Guj. 1 of 1970.

14. In the principal Act, for section 42, the following section shall be substituted, namely :—

Time limit for completion of assessment.

"**42.** (1) No order of assessment for a year commencing on the 1st day of April, 1998 or part of such year or any year thereafter or part of such year shall be made under sub-section (3) or (4) of section 41 at any time after the expiry of three years from the end of the year in which the last monthly, quarterly or, as the case may be, annual return is filed.

(2) Where the Commissioner issues a notice under sub-section (6) of section 41 to any dealer for assessment of tax in respect of any period, no order of assessment shall be made for such part of the period, if any, as is prior to—

(a) a period of eight years ending on the last date of the year immediately preceding the year in which such notice is issued, in a case where the Commissioner has reason to believe that such dealer has failed to apply for registration with intention to defraud Government revenue; and

(b) a period of four years ending on the last date as aforesaid, in any other case :

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Provided that for the purpose of this section if it is considered necessary so to do, the State Government may, subject to such conditions as it may deem fit, and the Commissioner may, subject to such conditions as may be prescribed by a general or special order, extend, either generally or specially, the period specified in sub-section (1) :

Provided further that where a fresh assessment is required to be made in pursuance of any order under section 65, 67 or 69 or in pursuance of any order of any court or authority, such fresh assessment shall be made at any time within three years from the date of such order :

Provided also that in computing the period of limitation for the purpose of this section, any period by which the period of limitation is extended under the first proviso or any period during which assessment proceedings are stayed by an order or injunction of any court or authority shall be excluded.".

Amendment of section 45 of Guj. 1 of 1970.

15. In the principal Act, in section 45,—

(1) after sub-section (3), the following sub-section shall be inserted, namely :—

"(3A) If a dealer fails to furnish any declaration or any return by the prescribed date as required under sub-section (1) of section 40, the Commissioner shall impose upon such dealer by way of penalty for each declaration or return, a sum of two hundred rupees for every month or part of a month comprised in the period commencing from the day immediately after the expiry of prescribed date and ending on the date on which a declaration or return is furnished.";

(2) in sub-section (4), for the words and figures "as required by section 40", the words, brackets and figures "as required by proviso to sub-section (1) or sub-section (2) of section 40" shall be substituted.

Amendment of section 47 of Guj. 1 of 1970.

16. In the principal Act, in section 47,—

(1) in sub-section (4), in clause (a), after sub-clause (ii), the following sub-clause shall be inserted, namely :—

"(iii) provisionally assessed for any period under section 41B less any sum already paid by the dealer in respect of such period.";

(2) after sub-section (4), the following sub-section shall be inserted, namely :—

"(4AA) Where provisional assessment is made in respect of any period under sub-section (1) of section 41B and thereafter assessment is made in respect of that period or part of that period under section 41, the amount of tax provisionally assessed and paid by a dealer shall be adjusted against the amount of tax assessed and payable by a dealer.".

Insertion of new section 48A in Guj. 1 of 1970.

17. In the principal Act, after section 48, the following section shall be inserted, namely:—

Provisional attachment to protect revenue.

"48A. (1) Where during the pendency of any proceedings of provisional assessment or assessment of tax or reassessment of turnover escaping assessment, the Commissioner is of the opinion that for the purpose of protecting the interests of the revenue, it is necessary so to do, he may by order in writing attach provisionally any property belonging to the dealer in such manner as may be prescribed.

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(2) Every such provisional attachment shall cease to have effect after the expiry of a period of six months from the date of the order made under sub-section (1):

Provided that the Commissioner may, for reasons to be recorded in writing, extend the aforesaid period by such further period or periods as he thinks fit so however that the total period shall not in any case exceed one year.".

Amendment of section 57B of Guj. 1 of 1970.

18. In the principal Act, in section 57B,—

(1) after sub-section (3), the following sub-section shall be inserted, namely :—

"(3A) If a person has entered into a works contract with a contractor and the contractor has entered into a contract with a sub-contractor entrusting to the sub-contractor the carrying out of the whole or part of the work (hereinafter referred to as "the sub-contract") relating to the said works contract and the contractor has at the time of payment of the specified sale price in respect of the said sub-contract to the sub-contractor deducted an amount as tax under clause (b) of sub-section *(3)* and has paid the same under sub-section *(6)*, then notwithstanding anything contained in clause (a) of the said sub-section *(3)*, the person shall not at the time of payment of the specified sale price to the contractor deduct an amount under clause (a) of sub-section *(3)* equal to the amount of tax paid by the contractor under sub-section *(6)*.";

(2) in sub-section *(6)*,—

(i) in clause (a), for the words "within ten days from the date of deduction of the amount", the words "in such manner and within such period as may be prescribed" shall be substituted;

(ii) in clause (c), the following shall be added at the end, namely:—

"within thirty days from the date on which he obtains the receipt".

Insertion of new section 57C in Guj. 1 of 1970.

19. In the principal Act, in Chapter V A, after section 57B, the following section shall be inserted, namely:—

Person deducting tax to furnish return.

"57C. Every person deducting tax under section 57B shall furnish or cause to be furnished returns in such form and within such period as may be prescribed to the Sales Tax Officer within whose jurisdiction the person resides or carries on his business.".

Amendment of section 65 of Guj. 1 of 1970.

20. In the principal Act, in section 65,—

(1) in sub-section *(1)*, in clause (b), for the word "Commissioner", the words "Deputy Commissioner" shall be substituted;

(2) in sub-section *(2)*, after the words "Assistant Commissioner", the words "or, as the case may be, by a Deputy Commissioner" shall be inserted;

(3) in sub-section (5), after the words "Assistant Commissioner", where they occur at two places, the words "or, as the case may be, by the Deputy Commissioner" shall be inserted.

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Amendment of section 75 of Guj. 1 of 1970.

21. In the principal Act, in section 75, in sub-section (1) in clause (c), the word and figures "or 30" shall be deleted.

Amendment of Schedule I of Guj. 1 of 1970.

22. In the principal Act, in Schedule I,—

(1) in the entry at serial No. 9,—

(a) after item (15), the following item shall be inserted, namely :—

"(15A) Heart valves";

(b) after item (19), the following item shall be inserted, namely:—

"(19A) Orthopaedic implants";

(2) for the entry at serial No. 16, the following entry shall be substituted, namely :—

1	2	3
"16	(i) Cereals and pulses (ii) Flours of cereals and pulses except Maize flour	Except when sold in sealed package under a brand ";
	(iii) Wheat flour	

(3) in the entry at serial No. 20, in column 3, the words "except when sold in sealed package under a brand" shall be inserted;

(4) in the entry at serial No. 23, in column 2, for the words "Twenty five rupees", the words "Seventy five rupees" shall be substituted;

(5) in the entries at serial Nos. 31 and 34, in column 3, the words "except when sold in sealed package under a brand " shall be inserted.

Amendment of Schedule II Part A of Guj. 1 of 1970.

23. In the principal Act, in Schedule II, in Part A,—

(1) entry at serial No. 1 shall be renumbered as sub-entry (i) of that entry and after sub-entry (i) as so renumbered, the following sub-entry shall be added, namely :—

1	2	3	4
"(ii)	Fly ash of coal	Four paise in the rupee	Four paise in the rupee.";

(2) in the entry at serial No. 12, in columns 3 and 4, for the words "two paise", the words "one paisa" shall be substituted;

(3) in the entry at serial No. 21, in columns 3 and 4, for the words "six paise", the words "four paise" shall be substituted;

(4) entry at serial No. 23 shall be renumbered as sub-entry (i) of that entry and after sub-entry (i) as so renumbered, the following sub-entry shall be inserted, namely :—

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1	2	3	4
"(ii)	Oil cakes	Two paise in the rupee	Two paise in the rupee";

(5) for the entry at serial No. 24, the following entry shall be substituted, namely:—

1	2	3	4
"24.	Drilling rigs of all types and spare parts and accessories thereof	Four paise in the rupee	Four paise in the rupee";

(6) the entry at serial No. 35, shall be renumbered as sub-entry (i) of that entry, and after the sub-entry (i) as so renumbered, the following sub-entry shall be added, namely :—

1	2	3	4
	''(ii) Burnt ash of lignite.	Four paise in the rupee	Four paise in the rupee'';

(7) in the entry at serial No. 43, in columns 3 and 4, for the words "Six paise", the words "Four paise" shall be substituted;

(8) in the entry at serial No. 44, after item (viii), the following item shall be inserted, namely :—

1	2	3	4
''(viii-a)	Empty cylinders of gas of all types.	Six paise in the rupee	Six paise in the rupee'';

(9) in the entry at serial No. 71, in columns 3 and 4, for the words ''Six paise'', the words ''Four paise'' shall be substituted;

(10) after the entry at serial No. 79, the following entry shall be inserted, namely:—

1	2	3	4
"79A.	Camphor	Four paise in the rupee	Four paise in the rupee";

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(11) in the entry at serial No. 85,—

(i) in sub-entry (i), the words "other than watch cases" shall be added at the end;

(2) after sub-entry (ii), the following sub-entry shall be inserted, namely:-

1	2	3	4
"(iii)	Watch cases	Four paise in the rupee	Four paise in the rupee";

(12) in the entry at serial No. 88, in column 2, for the words "Twenty five rupees", the words "Seventy five rupees" shall be substituted;

(13) after the entry at serial No. 100, the following entry shall be inserted, namely:—

1	2	3	4
"100A.	The following goods not falling under any other entry in this Schedule when sold in sealed packages under a brand		
(i)	Flours of cereals and pulses other than wheat flour	Two paise in the rupee	Two paise in the rupee.
(ii)	Powder of chillies, tamarind or turmeric or powder of any other *masala*.	Two paise in the rupee	Two paise in the rupee.
(iii)	*Farsan* that is to say, eatables, (other than sweet preparations) prepared wholly or mainly from gram or other pulses or gram flour or flour of other pulses and such preparations as the State Government may by notification in the *Official Gazette* specify for the purpose of this entry.	Two paise in the rupee	Two paise in the rupee.
(iv)	Fish and all sea food	Two paise in the rupee	Two paise in the rupee.".

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(14) in the entry at serial No. 104, in sub-entry (ii), in columns 3 and 4, for the words "Fifteen paise" the words "Eight paise" shall be substituted.

(15) after entry at serial No. 111, the following entry shall be inserted, namely :—

1	2	3	4
"111A.	Hydraulic jacks for trailors of tractors	Four paise in the rupee	Four paise in the rupee".

(16) in the entry at serial No. 113, in columns (3) and (4), for the words "Fifteen paise" the words "Eight paise" shall be substituted;

(17) in the entry at serial No. 119, in columns 3 and 4, for the words "Four paise in the rupee", the words "One paisa in the rupee" shall be substituted;

(18) after the entry at serial No. 133, the following entry shall be inserted, namely :—

1	2	3	4
"133A.	Peanut	Four paise in the rupee	Four paise in the rupee.".

(19) in the entry at serial No. 159, in columns 3 and 4, for the words "Six paise" the words "Four paise" shall be substituted;

(20) the entry at serial No. 173 shall be renumbered as sub-entry (i) of that entry and after sub-entry (i) as so renumbered, the following sub-entry shall be inserted, namely :—

1	2	3	4
"(ii)	Saw dust	Eight paise in the rupee	Eight paise in the rupee." .

(21) in entry at serial No. 184B, in columns (3) and (4), for the words "Six paise", the words "Four paise" shall be substituted;

(22) in the entry at serial No. 195, the figures and letter "19A" shall be deleted.

Amendment of Schedule III to Guj. I of 1970.

24. In the principal Act, in Schedule III, after the entry 18, the following entries shall be added, namely :—

"**19.** Heavy equipments such as cranes.

20. Telephones.

21. Patents, trade marks and brands.".

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Extra No. 17

REGISTERED NO. G/GNR/2.

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Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

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PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 14 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette,* on the 31st July, 1998).

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1984.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) Act, 1998. Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed, amounting in the aggregate to the sum of seventy-eight crores, sixty-two lakhs, fifty-nine thousand, six hundred and twenty-seven rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 1984 in respect of the services and purposes specified in column 2 of the Schedule. Issue of Rs.78,62,59,627 from and out of the Consolidated Fund of the State of Gujarat for the financial year1983-84.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 1984. Appropriation.

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SCHEDULE

(See sections 2 and 3)

No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
1	Agriculture and Forests Department	Revenue	—	2,31,838	2,31,838
2	Agriculture	Revenue	—	62,06,931	62,06,931
5	Forests	Revenue	19,684	46,32,818	46,52,502
7	Buildings and Communications Department	Revenue	—	10,44,936	10,44,936
8	Non-Residential Buildings	Revenue	—	5,55,34,561	5,55,34,561
		Capital	—	3,19,05,008	3,19,05,008
9	Residential Buildings	Revenue	—	4,17,15,179	4,17,15,179
		Capital	—	4,27,46,632	4,27,46,632
10	Roads and Bridges	Revenue	—	20,53,89,969	20,53,89,969
11	Gujarat Capital Construction Scheme	Capital	—	71,46,080	71,46,080
12	Other Expenditure pertaining to Buildings and Communica-tions Department	Revenue	10,03,468	59,05,165	69,08,633
13	Co-operation Department	Revenue	—	32,530	32,530
14	Co-operation	Revenue	—	53,13,360	53,13,360
16	Education Department	Revenue	—	71,627	71,627
17	Education	Revenue	—	1,36,07,912	1,36,07,912
18	Other Expenditure pertaining to Education Department	Revenue	—	2,11,185	2,11,185
		Capital	—	2,54,778	2,54,778
20	Tax Collection Charges (Finance Department)	Revenue	—	10,82,114	10,82,114
23	Other Expenditure pertaining to Finance Department	Capital	—	7,22,29,736	7,22,29,736
25	Food and Civil Supplies Department	Revenue	—	2,12,356	2,12,356
27	Food	Revenue	—	9,29,759	9,29,759
31	Elections	Revenue	—	2,88,939	2,88,939
35	Other Expenditure pertaining to General Administration Department	Capital	—	2,27,936	2,27,936
38	Health and Family Welfare Department	Revenue	—	1,69,174	1,69,174
39	Medical	Revenue	—	1,25,04,682	1,25,04,682
41	Public Health	Capital	—	8,63,101	8,63,101
43	Home Department	Revenue	—	1,14,397	114,397

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No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
44	Tax Collection Charges (Home Department)	Revenue	—	10,99,137	10,99,137
45	Police	Revenue	—	3,66,70,108	3,66,70,108
48	Other Expenditure pertaining to Home Department	Revenue	1,67,355	—	1,67,355
49	Industries, Mines and Power Department	Revenue	—	1,38,932	1,38,932
52	Industries	Revenue	—	14,92,230	14,92,230
		Capital	—	6,31,51,305	6,31,51,305
57	Irrigation Department	Revenue	—	11,38,32,838	11,38,32,838
		Capital	2,199	—	2,199
58	Other Expenditure pertaining to Irrigation Department	Capital	—	1,20,12,564	1,20,12,564
59	Labour and Employment Department	Revenue	—	2,27,641	2,27,641
62	Legal Department	Revenue	—	69,163	69,163
63	Administration of Justice	Revenue	1,54,905	53,02,085	54,56,990
64	Other Expenditure pertaining to Legal department	Revenue	—	91,946	91,946
65	Panchayats, Housing and Urban Development Department	Revenue	—	83,064	83,064
66	Community Development	Capital	18,840	—	18,840
67	Housing	Revenue	—	12,55,130	12,55,130
69	Compensation, Assignment and Tax Collection Charges	Revenue	149	—	149
70	Other Expenditure pertaining to Panchayats, Housing and Urban Development Department	Revenue	—	1,49,46,326	1,49,46,326
		Capital	—	8,16,970	8,16,970
71	Ports and Fisheries Department	Revenue	—	53,082	53,082
72	Ports	Revenue	—	20,78,263	20,78,263
73	Fisheries	Revenue		4,41,390	4,41,390
74	Other Expenditure pertaining to Ports and Fisheries Department	Capital	—	15,082	15,082
75	Revenue Department	Revenue	—	2,35,114	2,35,114

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No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
76	Tax Collection Charges (Revenue Department)	Revenue	—	1,06,35,000	1,06,35,000
77	District Administration	Revenue	—	28,37,692	28,37,692
79	Dangs District	Revenue	—	9,91,028	9,91,028
80	Compensation and Assignments	Revenue	—	2,01,823	2,01,823
82	Social Welfare and Tribal Development Department	Revenue	—	3,30,569	3,30,569
83	State Excise	Revenue	—	1,22,539	1,22,539
84	Social Security and Welfare	Revenue	—	51,89,303	51,89,303
	Total ...	Revenue	13,45,561	55,35,23,835	55,48,69,396
	Total ...	Capital	21,039	23,13,69,192	23,13,90,231
	Grand Totat ...	...	13,66,600	78,48,93,027	78,62,59,627

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REGISTERED NO. G/GNR/2

Extra No. 18

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 15 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July, 1998.)

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1985.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Second) Act, 1998. Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of fifty-two crores, sixty-six lakhs, eighty-four thousand, eight hundred and seven rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 1985 in respect of the services and purposes specified in column 2 of the Schedule. Issue of Rs.52,66,84,807 from and out of the Consolidated Fund of the State of Gujarat for the financial year1984-85.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 1985. Appropriation.

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SCHEDULE

(See sections 2 and 3)

No. of Excess Demand/ Appro-priation.	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund.	*Voted* by the Legislative Assembly.	Total.
1	2			3	
			Rs.	Rs.	Rs.
4	Animal Husbandry and Dairy Development	Capital	—	6,67,000	6,67,000
9	Education Department	Revenue	—	4,04,777	4,04,777
11	Other Expenditure pertaining to Education Department	Revenue	—	2,29,893	2,29,893
		Capital	—	17,52,649	17,52,649
15	Pensions and other retirement benefits	Revenue	—	1,02,78,234	1,02,78,234
20	Food	Revenue	—	3,90,930	3,90,930
23	Forests	Revenue	—	62,32,060	62,32,060
30	General Administration Department	Revnue	—	4,18,298	4,18,298
35	Health and Family Welfare Department	Revenue	—	5,13,903	5,13,903
38	Public Health	Capital	—	55,76,069	55,76,069
39	Other Expenditure pertaining to Health and Family Welfare Department	Capital	—	19,25,274	19,25,274
45	Industries, Mines and Power Department	Revenue	—	1,64,551	1,64,551
47	Stationery and Printing	Revenue	—	35,74,909	35,74,909
52	Information, Broadcasting and Tourism Department	Revenue	—	86,983	86,983
53	Information, Publicity and Tourism	Capital	—	4,51,151	4,51,151
54	Tourism	Capital	—	1,10,334	1,10,334
57	Irrigation and Soil Conservation	Revenue	—	10,33,52,640	10,33,52,640
61	Other Expenditure pertaining to Labour and Employment Department	Capital	—	2,42,859	2,42,859
62	Legal Department	Revenue	—	1,47,302	1,47,302
63	Administration of Justice	Revenue	—	60,37,514	60,37,514
64	Other Expenditure pertaining to Legal Depatment	Revenue	—	1,58,778	1,58,778
65	Panchayats and Rural Housing Department	Revenue	—	2,54,724	2,54,724

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No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund.	*Voted* by the Legislative Assembly.	Total.
1	2			3	
			Rs.	Rs.	Rs.
67	Rural Housing	Revenue	—	7,45,480	7,45,480
71	Ports	Revenue	—	17,72,361	17,72,361
		Capital	—	1,08,18,853	1,08,18,853
75	Tax Collection Charges (Revenue Department)	Revenue	—	94,81,983	94,81,983
76	District Administration	Revenue	—	40,13,234	40,13,234
79	Compensation and Assignments	Revenue	—	5,26,549	5,26,549
81	Roads and Building Department	Revenue	—	14,43,348	14,43,348
82	Non-Residential Buildings	Revenue	—	5,04,36,174	5,04,36,174
		Capital	—	2,18,29,332	2,18,29,332
83	Residential Buildings	Revenue	—	1,76,23,673	1,76,23,673
		Capital	—	73,54,001	73,54,001
84	Roads and Bridges	Revenue	—	16,25,00,167	16,25,00,167
		Capital	—	2,22,81,751	2,22,81,751
85	Gujarat Capital Construction Scheme	Capital	—	97,41,571	97,41,571
86	Other Expenditure pertaining to Roads and Buildings Department	Revenue	—	52,45,521	52,45,521
87	Social Welfare Department	Revenue	—	48,950	48,950
88	State Excise	Revenue	—	3,56,689	3,56,689
89	Social Security and Welfare	Revenue	—	1,08,72,967	1,08,72,967
94	Other Expenditure pertaining to Tribal Development Department	Capital	—	5,40,755	5,40,755
95	Tribal Area Sub Plan	Capital	—	4,60,59,214	4,60,59,214
99	Compensation, Assignment and Tax Collection charges	Revenue	21,402	—	21,402
	Total,	Revenue	21,402	39,73,12,592	39,73,33,994
	Total,	Capital	—	12,93,50,813	12,93,50,813
	Grand Total :		21,402	52,66,63,405	52,66,84,807

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

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Extra No. 19

REGISTERED NO. G/GNR/2

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

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PART—IV

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The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 16 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July, 1998).

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1986.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Third) Act, 1998.

Issue of Rs.91,33,80,149 from and out of the Consolidated Fund of the State of Gujarat for the financial year1985-86.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed, amounting in the aggregate to the sum of ninty-one crores, thirty-three lakhs, eighty thousand, one hundred and forty-nine rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 1986 in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 1986.

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SCHEDULE

(See sections 2 and 3)

No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
4	Animal Husbandry and Dairy Development	Capital	—	9,50,856	9,50,856
7	Co-operation	Capital	—	85,06,750	85,06,750
9	Education Department	Revenue	—	1,75,656	1,75,656
15	Pensions and other retirement benefit	Revenue	—	12,29,22,291	12,29,22,291
17	Repayment of debt pertaining to FinanceDepartment and its Servicing	Capital	10,37,19,009	—	10,37,19,009
22	Forests and Environment Department	Revenue	—	88,841	88,841
23	Forests	Revenue	—	61,67,115	61,67,115
29	Public Service Commission	Revenue	88,327	—	88,327
35	Health and Family Welfare Department	Revenue	—	6,78,820	6,78,820
36	Medical	Revenue	—	3,15,20,440	3,15,20,440
37	Family Welfare	Revenue	—	11,75,522	11,75,522
38	Public Health	Revenue	—	19,49,920	19,49,920
39	Other Expenditure pertaining to Health and Family Welfare Department	Revenue	—	7,37,121	7,37,121
40	Home Department	Revenue	—	22,903	22,903
42	Police	Revenue	—	3,94,30,408	3,94,30,408
43	Jails	Revenue	—	24,81,218	24,81,218
44	Other Expenditure pertaining to Home Department	Revenue	—	27,43,935	27,43,935
45	Industries, Mines and Power Department	Revenue	—	2,20,468	2,20,468

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No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2		3		
			Rs.	Rs.	Rs
47	Stationery and Printing	Revenue	—	2,58,53,367	2,58,53,367
52	Information, Broadcasting and Tourism Department	Revenue	—	22,971	22,971
56	Irrigation Department	Revenue	—	1,14,697	1,14,697
57	Irrigation and Soil conservation	Revenue	—	20,29,40,078	20,29,40,078
		Capital	—	4,57,81,875	4,57,81,875
64	Other Expenditure pertaining to Legal Department	Revenue	—	2,57,843	2,57,843
65	Narmada Devlopment Department-	Revenue	—	1,07,706	1,07,706
66	Narmada Development Scheme	Revenue	—	11,78,25,062	11,78,25,062
68	Panchayats and Rural Housing Department	Revenue	—	2,858	2,858
74	Ports	Revenue	—	3,59,885	3,59,885
77	Revenue Department	Revenue	—	53,938	53,938
78	Tax Collection Charges (Revenue Department)	Revenue	—	6,43,279	6,43,279
79	District Administration	Revenue	—	67,05,018	67,05,018
85	Non-Residential Buildings	Revenue	—	6,09,10,195	6,09,10,195
86	Residential Buildings	Revenue	—	2,22,44,249	2,22,44,249
		Capital	—	3,31,23,687	3,31,23,687
87	Roads and Bridges	Revenue	—	4,97,87,149	4,97,87,149
		Capital	—	1,46,93,110	1,46,93,110

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No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	*Voted by the* Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
39	Other Expenditure pertaining to Roads and Buildings Department	Revenue	7,33,275	45,80,265	53,13,540
		Capital	—	70,063	70,063
01	State Excise	Revenue	—	2,40,254	2,40,254
05	Trible Development Department	Revenue	—	1,784	1,784
07	Other Expenditure pertaining to Trible Development Department	Capital	—	2,26,410	2,26,410
00	Urban Housing	Revenue	—	5,16,469	5,16,469
		Capital	—	20,00,000	20,00,000
02	Compensation, Assignment and Tax Collection Charges	Revenue	—	5,062	5,062
	Total :	Revenue	8,21,602	70,34,86,787	70,43,08,389
	Total :	Capital	10,37,19,009	10,53,52,751	20,90,71,760
	Grand Total :		10,45,40,611	80,88,39,538	91,33,80,149

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

INDEX

REGISTERED NO. G/GNB/4

Extra No. 20

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

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KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 17 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July, 1998).

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1987.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Fourth) Act, 1998. Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of one hundred fifteen crores, sixty lakhs, seventy-nine thousand, seven hundred and forty-eight rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 1987 in respect of the services and purposes specified in column 2 of the Schedule. Issue of Rs. 1,15,60,79,748 from and out of the Consolidated Fund of the State of Gujarat for the financial year1986-87.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 1987. Appropriation.

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SCHEDULE

(See sections 2 and 3)

No. of Excess Demand/ Appro-priation	Services and purposes		Sum not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
1	Agriculture and Rural Development Department	Revenue	—	1,89,135	1,89,135
4	Animal Husbandry and Dairy Development	Revenue	—	1,63,646	1,63,646
6	Co-operation Department	Revenue	—	42,137	42,137
7	Co-operation	Capital	—	5,28,44,850	5,28,44,850
8	Other expenditure pertaining to Co-operation Department	Capital	—	77,434	77,434
13	Tax Collection Charges (Finance Department)	Revenue	11,662	11,70,294	11,81,956
15	Pensions and Other Retirement Benefits	Revenue	1,03,51,858	—	1,03,51,858
18	Food and Civil Supplies Department	Revenue		3,50,109	3,50,109
19	Civil Supplies	Capital	—	2,30,921	2,30,921
20	Food	Capital	—	2,06,604	2,06,604
23	Forests	Revenue	—	1,24,510	1,24,510
24	Environment	Revenue	—	3,796	3,796
29	Public Service Commission	Revenue	1,26,582	—	1,26,582
36	Medical	Revenue	—	4,28,063	4,28,063
38	Public Health	Capital	—	4,89,98,775	4,89,98,775
42	Police	Revenue	—	1,39,68,410	1,39,68,410
43	Jails	Revenue	—	41,97,066	41,97,066
44	Other expenditure pertaining to Home Department	Capital	—	3,20,98,839	3,20,98,839

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No. of Excess Demand/ Appro-priation	Services and purposes		Sum not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
45	Industries, Mines and Energy Department	Revenue	—	4,56,523	4,56,523
47	Stationary and Printing	Revenue	—	1,13,19,784	1,13,19,784
48	Industries	Capital	—	9,45,48,483	9,45,48,483
49	Mines and Minerals	Capital	—	2,50,00,000	2,50,00,000
50	Energy Projects	Revenue	—	1,44,38,569	1,44,38,569
		Capital	—	52,00,00,000	52,00,00,000
51	Other expenditure pertaining to Industries,Mines and Energy Department	Capital	—	47,90,893	47,90,893
56	Irrigation Department	Revenue	—	10,29,263	10,29,263
57	Irrigation and Soil Conservation	Revenue	—	19,63,07,905	19,63,07,905
		Capital	—	6,12,33,909	6,12,33,909
58	Other expenditure pertaining to Irrigation Department	Capital	—	3,26,122	3,26,122
68	Panchayats and Rural Housing Department	Revenue	69,825	1,74,925	2,44,750
73	Ports and Fisheries Department	Revenue	—	2,339	2,339
74	Ports	Revenue	—	34,633	34,633
80	Relief on account of Natural Calamities	Revenue	252	—	252
81	Dang District	Revenue	—	7,19,877	7,19,877
85	Non-Residential Buildings	Revenue	—	54,05,239	54,05,239
86	Residential Buildings	Capital	41,383	1,20,44,689	1,20,86,072
87	Roads and Bridges	Revenue	1,47,860	1,91,41,829	1,92,89,689
		Capital	—	18,73,037	18,73,037

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No. of Excess Demand/ Appro-priation	Services and purposes		Sum not exceeding		
			Charged on the Consolidated Fund	*Voted* by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
88	Gujarat Capital Construction Scheme	Capital	—	39,51,578	39,51,578
89	Other expenditure pertaining to Roads and Buildings Depatment	Revenue	—	30,87,545	30,87,545
95	Tribal Development Department	Revenue	—	22,797	22,797
98	Tribal Area Sub-Plan	Capital	—	1,41,55,416	1,41,55,416
100	Urban Housing	Revenue	62,246	—	62,246
103	Other expenditure pertaining to Urban Development and Urban Housing Department	Capital	—	1,08,136	1,08,136
	Total :	Revenue	1,07,70,285	27,27,78,394	28,35,48,679
	Total :	Capital	41,383	87,24,89,686	87,25,31,069
	Grand Total :		1,08,11,668	1,14,52,68,080	1,15,60,79,748

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REGISTERED NO. G/GNR/2

Extra No. 21

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 18 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July, 1998.)

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1988.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Fifth) Act, 1998.

Issue of Rs.2,90,13,43,375 from and out of the Consolidated Fund of the State of Gujarat for the financial year1987-88.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of two hundred ninety crores, thirteen lakhs, forty-three thousand, three hundred and seventy-five rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 1988 in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 1988.

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SCHEDULE

(See sections 2 and 3)

No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	Voted by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
7	Co-operation	Capital	—	5,29,99,610	5,29,99,610
9	Education Department	Revenue	—	40,365	40,365
15	Pensions and other Retirement Benefits	Revenue	—	16,67,28,113	16,67,28,113
16	Payment of Debt pertaining toFinance Department and its Servicing	Capital	39,38,000	—	39,38,000
17	Other expenditure pertaining to Finance Department	Capital	85,55,71,963	—	85,55,71,963
18	Civil Supplies	Revenue	—	3,04,404	3,04,404
20	Food	Revenue	—	4,89,303	4,89,303
23	Forests	Revenue	—	25,51,531	25,51,531
31	Economic Advice and Statistics	Revenue	—	1,03,754	1,03,754
36	Medical and Public Health	Revenue	—	1,86,54,961	1,86,54,961
40	Home Department	Revenue	—	2,22,996	2,22,996
41	Police	Revenue	—	9,60,91,166	9,60,91,166
44	Industries, Mines and Energy	Revenue	—	9,55,751	9,55,751
51	Information, Broadcasting and Tourism Department	Revenue	—	73,075	73,075
53	Tourism	Capital	—	66,161	66,161
55	Irrigation Department	Revenue	—	11,09,039	11,09,039
57	Other expenditure pertaining to Irrigation Department	Revenue	10,646	—	10,646
65	Narmada Development Scheme	Capital	2,03,920	—	2,03,920

No. of Excess Demand/ Appro-priation	Services and purposes		Sums not exceeding		
			Charged on the Consolidated Fund	Voted by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
66	Other expenditure pertaining to Narmada and Water Resourses Department	Capital	—	1,04,160	1,04,160
67	Panchayats and Rural Housing	Revenue	—	2,34,800	2,34,800
74	Transport	Revenue	—	17,42,46,852	17,42,46,852
78	Tax Collection Charges (Revenue Department)	Revenue	—	11,75,159	11,75,159
79	District Administration	Revenue	—	40,08,555	40,08,555
80	Relief on account of Natural Calamities	Revenue	—	1,48,26,72,891	1,48,26,72,891
81	Dang District Special Area Programme	Revenue	—	11,14,244	11,14,244
84	Roads and Buildings	Revenue	—	31,89,328	31,89,328
85	Non-Residential Buildings	Revenue	—	8,78,889	8,78,889
		Capital	99,892	—	99,892
87	Roads and Bridges	Revenue	5,19,500	2,36,83,450	2,42,02,950
89	Other expenditure pertaining to Roads and Buildings Department	Revenue	—	65,61,652	65,61,652
91	State Excise	Revenue	—	7,02,192	7,02,192
97	Other expenditure pertaining to Tribal Development Department	Capital	—	18,74,407	18,74,407
103	Other expenditure pertaining to Urban Development and Urban Housing Department	Capital	—	1,62,646	1,62,646
	Total :	Revenue	530,146	1,98,57,92,470	1,98,63,22,616
	Total :	Capital	85,98,13,775	5,52,06,984	91,50,20,759
	Grand Total :		86,03,43,921	2,04,09,99,454	2,90,13,43,375

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REGISTERED NO. G/GNR/2

Extra No. 22

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 19 OF 1998.

(First published, after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July 1998.)

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 1991.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Sixth) Act, 1998.

Issue of Rs. 1,50,59,14,641 from and out of the Consolidated Fund of the State of Gujarat for the financial year 1990-91.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of one hundred fifty crores, fifty-nine lakhs, fourteen thousand, six hundred and forty-one rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 1991 in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 1991.

SCHEDULE

(See sections 2 and 3)

No. of Excess Demand/ Appro-priation	Services and purposes		Sum not exceeding		
			Charged on the Consolidated Fund	Voted by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
3	Minor Irrigation and Soil Conservation and Area Development	Revenue	—	95,16,899	95,16,899
4	Animal Husbandry and Dairy Development	Revenue	—	36,54,297	36,54,297
		Capital	—	39,32,000	39,32,000
6	Co-operation	Capital		5,72,06,599	5,72,06,599
9	Education	Capital	—	70,65,820	70,65,820
14	Pensions and Other Retirement Benefits	Revenue	—	8,98,54,138	8,98,54,138
19	Food	Revenue	—	3,95,988	3,95,988
		Capital	—	17,585	17,585
22	Forests	Revenue	—	47,95,738	47,95,738
		Capital	—	18,29,981	18,29,981
37	Water Supply	Revenue	—	5,50,547	5,50,547
39	Home Department	Revenue	—	8,03,000	8,03,000
40	Police	Revenue	—	1,98,21,842	1,98,21,842
41	Jails	Revenue	—	4,022	4,022
42	Transport	Revenue	—	47,29,45,022	47,29,45,022
43	Other Expenditure pertaining to Home Department	Capital	—	1,25,90,317	1,25,90,317
46	Stationery and Printing	Revenue	—	3,08,61,921	3,08,61,921
48	Mines and Minerals	Revenue	—	8,52,823	8,52,823

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No. of Excess Demand/ Appro-priation	Services and purposes		Sum not exceeding		
			Charged on the Consolidated Fund	Voted by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
49	Energy Projects	Revenue	—	2,01,573	2,01,573
		Capital	—	11,99,99,000	11,99,99,000
50	Other expenditure pertaining to Industries, Mines and Energy Department	Capital	—	5,42,093	5,42,093
53	Tourism	Capital	—	50,00,000	50,00,000
54	Other expenditure pertaining to Information, Broadcasting and Tourism Department	Revenue	—	27,18,021	27,18,021
55	Labour and Employment Department	Revenue	—	49,031	49,031
62	Narmada Development Scheme	Capital	—	19,18,79,017	19,18,79,017
63	Irrigation and Soil Conservation	Revenue	—	10,87,08,164	10,87,08,164
64	Other expenditure pertaining to Narmada and Water Resourses Department	Revenue	3,61,574	—	3,61,574
65	Panchayats and Rural Housing Department	Revenue	—	1,26,857	1,26,857
67	Rural Housing	Revenue	—	2,51,94,502	2,51,94,502
69	Other expenditure pertaining to Panchayats and Rural Housing Department	Capital	—	32,50,970	32,50,970
72	District Administration	Revenue	—	86,12,379	86,12,379
74	Dangs District	Revenue	—	36,28,965	36,28,965

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No. of Excess Demand/ Appro-priation	Services and purposes		Sum not exceeding		
			Charged on the Consolidated Fund	Voted by the Legislative Assembly	Total
1	2			3	
			Rs.	Rs.	Rs.
75	Compensations and Assignments	Revenue	25,361	—	25,361
		Capital	5,14,487	—	5,14,487
77	Roads and Buildings Department	Revenue	—	46,54,965	46,54,965
78	Non-Residential Buildings	Revenue	—	12,19,270	12,19,270
80	Roads and Bridges	Revenue	—	19,89,67,472	19,89,67,472
		Capital	—	8,64,94,251	8,64,94,251
83	Other expenditure pertaining to Roads and Buildings Department	Revenue	—	12,42,498	12,42,498
86	Social Security and Welfare	Revenue	—	88,94,974	88,94,974
87	Welfare of Scheduled Tribes	Capital	—	8,01,896	8,01,896
89	Special Component Plan for Scheduled Caste	Revenue	—	4,03,064	4,03,064
		Capital	—	1,11,75,263	1,11,75,263
91	Urban Development and Urban Housing Department	Revenue	—	61,692	61,692
92	Urban Housing	Revenue	—	2,763	2,763
93	Urban Development	Capital	—	44,86,000	44,86,000
	Total :	Revenue	3,86,935	99,87,42,427	99,91,29,362
	Total :	Capital	5,14,487	50,62,70,792	50,67,85,279
	Grand Total :		9,01,422	1,50,50,13,219	1,50,59,14,641

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Extra No. 23 REGISTERED NO. G/GNR/2

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

[VOL XXXIX] FRIDAY, JULY 31, 1998/SRAVANA 9, 1920

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART—IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998 is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 20 OF 1998.

(First published after having received the assent of the Governor in the *Gujarat Government Gazette*, on the 31st July, 1998.)

AN ACT

further to amend the Laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows :—

1. (*1*) This Act may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 1998. Short title and commencement.

(*2*) It shall come into force on the 1st August, 1998.

2. The enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified in column 3 of the said Schedule. Amendment of certain enactments.

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SCHEDULE

(*See* section 2)

No.	Name of the enactment	Extent of Amendments.
1	2	3
1.	The Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (Guj. II of 1960).	1. In section 3,— (1) in sub-section (1), for the figures "750", the figures "1,500" shall be substituted ; (2) in sub-section (2), for the figures "750", the figures "1,500" shall be substituted. 2. In section 4, in clauses (a) and (b), for the figures "100", the figures "150" shall be substituted. 3. In section 5B,— (1) for the words "first class or any other class the fare for which does not exceed that for the first class", the words "first class or by second class air conditioned" shall be substituted; (2) in the proviso,— (a) for the words "or any one other member" wherever they occur, the words "and two other members" shall be substituted; (b) for the figures "7500" and "15,000", the figures "10,000" and "20,000" shall be substituted respectively ; (3) in the *Explanation*, for the words "or any one other member" wherever they occur, the words "and two other members" shall be substituted. 4. In section 6,— (1) in sub-section (1), for the words "be provided with one free non-transferable pass entitling him", the words "on the production of identity card, be entitled" shall be substituted; (2) in sub-section (2), for the words "such pass", the words "such identity card" shall be substituted; (3) in sub-section (3), in the proviso, for the words "or any one other member", the words "and two other members" shall be substituted.

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1	2	3
		5. After section 6, the following section shall be inserted, namely:—
	Travel facilities by air.	"6AB. Any member may undertake or perform journey alongwith co- traveller by air from the nearest airport from his residence to and fro in any part of India on three occasions in each year: Provided that difference between the fare for journey by air and the fare for journey by railway by first class or by second class air conditioned, whichever is higher, shall be borne by the member.".
		6. In section 6AA,— (1) for the words "or any one other member", the words "and two other members" shall be substituted; (2) for the words "spouse or the members", the words "spouse and the members" shall be substituted.
		7. In section 6A, in sub-section *(2)*, for the figures "1200", the figures "3,000" shall be substituted.
		8. In section 8,— (1) in sub-section *(2)*, for the figures "600", the figures "2,400" shall be substituted; (2) in sub-section (5A),— (a) for the figures "400", the figures "1,600" shall be substituted ; (b) for the words "postal charges", the words "postal and stationery charges" shall be substituted.
		9. In section 9,— (1) after the words "Deputy Speaker" occuring at two places, the words "Leader of the Opposition" shall be inserted; (2) in the marginal note, after the words "Deputy Speaker", the words "Leader of the Opposition" shall be inserted.
2.	The Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960 (Guj. III of 1960).	1. In section 3, for the figures "2500", the figures "4,500" shall be substituted.

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1	2	3
		2. In section 3A, for the figures "1000", the figures "3,500" shall be substituted. 3. In section 5, in sub-section (2), for the figures "1500", the figures "3,000" shall be substituted. 4. After section 6A, the following sections shall be inserted, namely :—
	Free transit by railway.	"6AA. The Speaker and the Deputy Speaker shall be provided with facilities which shall entitle them at any time to travel by first class or by second class air conditioned by railway in any part of India in such manner and subject to such conditions as may by rules or orders be prescribed in that behalf : Provided that such travel by railway in any part of India outside the State of Gujarat may be availed of by the Speaker or as the case may be, by the Deputy Speaker singly or jointly with his spouse and two other members of his family residing with and dependent on him, so however, that the total distance so travelled by the Speaker or, as the case may be, the Deputy Speaker singly in any year does not exceed 10,000 kilometres and the total distance so travelled jointly by the Speaker or, as the case may be, the Deputy Speaker and his spouse and two other members of his family residing with and dependent on him in any year does not exceed 20,000 kilometres. *Explanation.*—For the purpose of calculating the number of kilometres travelled by the Speaker or, as the case may be, the Deputy Speaker jointly with his spouse and two other members of his family residing with and dependent on him, outside the State of Gujarat, the number of kilometres travelled by him and by his spouse and two other members of his family residing with and dependent on him shall be counted separately.
	Free transit by air.	"6AB. The Speaker and the Deputy Speaker may undertake or perform journey along with co-traveller by air from the nearest airport from his residence to and fro in any part of India on three occassions in each year : Provided that difference between the fare for journey by air and the fare for journey by railway by first calss or by second class air conditioned, whichever is higher, shall be borne by the Speaker or, as the case may be, by the Deputy Speaker.".

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1	2	3
		5. In section 6B,—
		(1) in sub-section (1), for the words "a telephone installed", the words "telephone facilities" shall be substituted;
		(2) in sub-section (2), for the words "telephone installed", the words "telephone facilities provided" shall be substituted.
		6. In section 7A, for the figures "30,000", the figures "60,000" shall be substituted.
		7. In section 10, for the figures "2300", the figures "4,500" shall be substituted.
		8. In section 10A, for the figures "1000", the figures "3,500" shall be substituted.
		9. In section 12A,—
		(1) in sub-section (1), for the words "a telephone installed", the words "telephone facilities" shall be substituted;
		(2) in sub-section (2), for the words "telephone installed", the words "telephone facilities provided" shall be substituted.
		10. In section 12C, in sub-section (3), for the figures "1500", the figures "3,000" shall be substituted.
3.	The Gujarat Ministers' Salaries and Allowances Act, 1960 (Guj. VI of 1960).	1. In section 3, for the figures "2500" and figures "2300", the figures "4,500" shall be substituted.
		2. In section 3A, for the figures "1000", the figures "3,500" shall be substituted.
		3. In section 5, in sub-section *(2)*, for the figures "1500", the figures "3,000" shall be substituted.
		4. In section 6, for the figures "2100", the figures "4,500" shall be substituted.
		5. In section 6A, for the figures "1000", the figures "3,500" shall be substituted.
		6. In section 8, in sub-section *(2)*, for the figures "1500", the figures "3,000" shall be substituted.
		7. After section 9A, the following sections shall be inserted, namely :—

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1	2	3
	Free transit by railway.	"9AA. Every Minister and Deputy Minister shall be provided with facilities which shall entitle them at any time to travel by first class or by second class air conditioned by railway in any part of India in such manner and subject to such conditions as may by rules or orders be presecribed in that behalf: Provided that such travel by railway in any part of India outside the State of Gujarat may be availed of by a Minister or, as the case may be, a Deputy Minister singly or jointly with his spouse and two other members of his family residing with and dependent on him, so however, that the total distance so travelled by the Minister or, as the case may be, the Deputy Minister singly in any year does not exceed 10,000 kilometres and the total distance so travelled jointly by the Minister or, as the case may be, the Deputy Minister and his spouse and two other members of his family residing with and dependent on him in any year does not exceed 20,000 kilometres. *Explanation.*—For the purpose of calculating the number of kilometres travelled by a Minister or, as the case may be, a Deputy Minister jointly with his spouse and two other members of his family residing with and dependent on him, outside the State of Gujarat, the number of kilometres travelled by him and by his spouse and two other members of his family residing with and dependent on him shall be counted separately.
	Free transit by air.	9AB. Every Minister and the Deputy Minister may undertake or perform journey alongwith co-traveller by air from the nearest airport from his residence to and fro in any part of India on three occassions in each year : Provided that difference between the fare for journey by air and the fare for journey by railway by first class or by second class air conditioned, whichever is higher, shall be borne by the Minister or, as the case may be, the Deputy Minister.".
		8. In section 9B,—
		(1) in sub-section (1), for the words "a telephone installed", the words "telephone facilities" shall be substituted;

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1	2	3
		(2) in sub-section (2), for the words "a telephone installed", the words "telephone facilities provided" shall be substituted. 9. In section 11, for the figures "75,000", the figures "1,50,000" shall be substituted.
4.	The Gujarat Legislative Assembly (Leader of the Opposition) Salaries and Allowances Act, 1979 (Guj. 16 of 1979).	1. In section 3, for the figures "2500", the figures "4,500" shall be substituted. 2. In section 3A, for the figures "1000", the figures "3,500" shall be substituted. 3. In section 5, in sub-section (2), for the figures "1500", the figures "3,000" shall be substituted. 4. In section 8, in sub-section (2), for the figures "200", the figures "500" shall be substituted. 5. After section 8, the following section shall be inserted, namely :— Free transit by railway. "8A. The Leader of the opposition shall be provided with facilities which shall entitle him at any time to travel by first class or by second class airconditioned by railway in any part of India in such manner and subject to such conditions as may by rules or orders be prescribed in that behalf : Provided that such travel by railway in any part of India outside the State of Gujarat may be availed of by the Leader of the Opposition singly or jontly with his spouse and two other members of his family residing with and dependent on him, so however, that the total distance so travelled by the Leader of the opposition singly in any year does not exceed 10,000 kilometres and the total distance so travelled jointly by the leader of the Opposition and his spouse and two other members of his family residing with and dependent on him in any year does not exceed 20,000 kilometres. *Explanation.*—For the purpose of calculating the number of kilometres travelled by the Leader of the Opposition jointly with his spouse and two other members of his family residing with and dependent on him, outside the State of Gujarat, the number of kilometres travelled by him and by his spouse and two other members of his family residing with and dependent on him shall be counted seperately.

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1	2	3
	Free transit by air.	8B. The Leader of the Opposition may undertake or perform journey alongwith co-traveller by air from the nearest airport from his residence to and fro in any part of India on three occassions in each year : Provided that difference between the fare for journey by air and the fare for journey by railway by first class or by second class air conditioned, whichever is higher, shall be borne by the Leader of the Opposition.".

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